



CrI.O.P.(MD) No.14614 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.08.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

CrI.O.P.(MD) No.14614 of 2023

Lingam

... Petitioner

Vs.

1.The State Rep. by
The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Palaiyanur Police Station,
Sivagangai District.

3.Pitchaimani

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent to instruct the second respondent not to harass the petitioner under the guise of enquiry on the basis of the petitioner's representation dated 04.08.2023.

For Petitioner	: Mr.R.Shankar Ganesh
For R1 & R2	:Mr.B.Thanga Aravindh Government Advocate (CrI.side)
For R3	: Mr.S.Ramsundarvijayraj



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ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking for a direction to the first respondent to instruct the second respondent not to harass the petitioner under the guise of enquiry on the basis of the petitioner's representation dated 04.08.2023.

2. It is submitted by the learned counsel for the petitioner that in respect of one un-registered sale deed allegedly executed by the petitioner a decade ago, the third respondent has filed a complaint, based on which, the respondent police have been harassing the petitioner. Accordingly, he filed a representation before the respondent police on 04.08.2023 and in spite of which, harassment is being continued, thereby, sought for suitable direction.

3. Mr.Ramsundarvijayraj, learned counsel appearing for the third respondent submitted that the dispute is not in respect of alleged agreement of sale, however, the petitioner has received a sum of Rs.5,00,000/- from the third respondent and has committed cheating and in that context, the complaint has been given by the third respondent to the police.



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4. The learned Government Advocate (Crl.side) on the other hand submitted that the complaint given by the third respondent is registered as C.S.R.No.156 of 2023 and the complaint given by the petitioner, dated 23.05.2023 is registered as C.S.R.No.151 of 2023 and both the CSRs are enquired into and both parties appeared before the respondent police and gave an undertaking that the dispute between the petitioner and the third respondent is purely civil in nature, they would have approach the appropriate civil Court. Accordingly, both the CSRs are closed.

5. Since the petitioner and the third respondent has given an undertaking that they would approach the appropriate civil court, no further order is passed. Accordingly, this criminal original petition is disposed of.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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21.08.2023



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To

- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Inspector of Police,
Palaiyanur Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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