



CrI.O.P.(MD) No.15219 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD) No.15219 of 2023

A.V.Parthipan

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

2.The State represented through
the Sub Inspector of Police,
Balamedu Police Station,
Madurai District.

3.Kather Maideen

4.Balamurugan

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent not to harass the petitioner on guise of enquiry by interfering in a civil dispute on the basis of the vexatious complaint given by third and fourth respondents.

For Petitioner : Mr.M.Suresh

For R1 & R-2 : Mr.B.Thanga Aravindh,
Government Advocate(Criminal Side)



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ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the respondent Police not to harass the petitioner under the guise of a complaint given unofficial respondent Nos.3 and 4.

2. According to the learned counsel for the petitioner, the petitioner is a power of attorney holder of a principal in respect of immovable properties and he has agreed to sell the same in favour of respondent Nos.3 and 4 and received some advance amount as there was a delay in getting the power of attorney executed as one of the owners resides in Canada, respondent Nos.3 and 4 had started harassing the petitioner and on a complaint given by them, the respondent Police have been harassing the petitioner. It is also submitted that respondent Nos.3 and 4 have entered into the office of the petitioner on 20.06.2023 and ransacked the office and caused damage. A complaint was also filed against respondent Nos.3 and 4, but, no action has been initiated. Therefore, sought for suitable directions.



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3. Learned Government Advocate (Criminal Side), on the other hand, submits that the complaint filed by the petitioner is registered as C.S.R.No. 210 of 2023 and enquiry was conducted in both the complaints and both parties have appeared and on considering the rival submissions, both parties were directed to resolve the dispute by way of approaching the civil court. Accordingly, both complaints are closed.

4. Since both the complaints are enquired into and closed by the respondent Police, no further directions can be given.

5. Accordingly, the Criminal Original Petition is disposed of.

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

30.08.2023

tsg



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DR.D.NAGARJUN. J.

tsg

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
- 2.The Sub Inspector of Police,
Balamedu Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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