



CRL.O.P.(MD)No.15766 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.15766 of 2023

K.Vijayakumar

... Petitioner

Vs

1.The Superintendent of Police
D.P.O, K.Pudur, Madurai District.

2.The Inspector of Police
District Crime Branch,
Madurai, Madurai District.

3.The Inspector of Police
Melur Police Station,
Madurai District.

4.R.Kasi

5.Balakrishnan

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the second respondent not to harass the petitioner under the guise of enquiry or investigation under the false afterthought complaint given by the fifth respondent projecting as caretaker of fourth respondent and desist the second respondent from involving any kind of harassments and illegal activities towards the petitioner.

For Petitioner : Mr.S.Siva Ilayaraja

For Respondents : Mr.SS.Madhavan, - for R1 to R3

Government Advocate (Criminal)

Mr.P.Ganapathi Subramanian - for R5



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5. Considering the submissions made by learned counsel for the petitioner, learned counsel for the fifth respondent as well as the learned Government Advocate (Criminal Side) and on perusal of records, it is clear that the dispute between the petitioner and unofficial respondents 4 and 5 is purely civil in nature, in case, if the respondent No.5 has got any grievance against respondent No.4 for executing the registered sale deed in favour of the petitioner without honouring the agreement of sale, the only course left for the fifth respondent is to file appropriate civil suit in the Civil Court. Even if there is any element of criminality can be attributed to the petitioner because it is the fourth respondent, who has not executed the sale deed in favour of the fifth respondent, the petitioner can be an innocent purchaser. Therefore, the respondent Police are not to interfere this kind of dispute.

6. This petition is therefore disposed of directing the respondent Police to complete the enquiry on the complaint given by the fifth respondent as quickly as possible not later than two weeks from the date of receipt of a copy of this order.

11.09.2023

NCC:yes/no
Index:yes/no
Internet:yes/no

<https://www.mhctn.gov.in/judis>



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DR.D.NAGARJUN, J.

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To

- 1.The Superintendent of Police
D.P.O, K.Pudur,
Madurai District.
- 2.The Inspector of Police
District Crime Branch,
Madurai,
Madurai District.
- 3.The Inspector of Police
Melur Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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