



CRL.O.P.(MD)No.15750 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.09.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.15750 of 2023

1.S.Jasmin

2.S.Vengatesan

... Petitioners

Vs

1.The Commissioner of Police
O/o the Commissioner of Police,
Madurai.

2.The Inspector of Police
Thallakulam Police Station,
Madurai.

3.D.Thangamal

4.N.Sureshkumar

5.N.Packiyam

6.M.Asarapi Begum

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the respondent No.2 not to harass the petitioner and his family members under the guise of enquiry in the civil dispute with the respondents 3 to 6.



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For Petitioners : Mr.D.Senthil

For Respondents : Mr.SS.Madhavan, - for R1 & R2
Government Advocate (Criminal)

ORDER

This petition is filed under Section 482 of Cr.P.C. seeking for a direction to the respondent Police not to intervene in the civil dispute pending between the petitioners and unofficial respondents.

2. It is submitted by learned counsel for the petitioners that respondent Nos.3 to 6 are the tenants of property belonging to the petitioners and the petitioners borrowed a loan from the Cholamandalam Finance and committed default. Accordingly, the proceedings were initiated before the Debt Recovery Tribunal and the properties belonging to petitioner Nos.1 and 2 have been taken over by the Cholamandalam Finance. It is submitted that respondent No.2 Police have been harassing the petitioners on the complaint of the respondent Nos.3 to 6 and further submitted that respondents No.2 Police have forcibly taken the cheques and pronotes from the petitioners in respect of the money which was paid by respondent Nos.3 to 6 to the petitioners at the time of taking the possession of the property as tenants.



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3. Learned Government Advocate (Criminal Side) submitted that the Police have not taken any cheques or pronotes from the petitioners and they have not been harassing.

4. The dispute between the petitioners and respondent Nos.3 to 6 is purely civil in nature, in case, if respondent Nos.3 to 6 have any grievance against the petitioners in respect of return of money, they are expected to approach the appropriate Civil Court. The respondent Police have no role to play in the dispute between the landlord and tenants. In case, if any complaint is given by the unofficial respondents against the petitioners in respect of any alleged offence, the respondent Police are directed to follow the procedure scrupulously.

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

11.09.2023

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

tsg



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DR.D.NAGARJUN, J.

tsg

To

- 1.The Commissioner of Police
O/o the Commissioner of Police,
Madurai.
- 2.The Inspector of Police
Thallakulam Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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