



CrI.O.P.(MD) No.15832 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.10.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **G.ILANGO VAN**

CrI.O.P.(MD)No.15832 of 2023

S.Syed Mohammed

...Petitioner

Vs.

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.

3.Mohammed Abubacker

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd respondent not to interfere with the civil dispute between the petitioner and the 3rd respondent under the guise of any enquiry.

For Petitioner :Mr.Pon Karthikeyan

For Respondent :Mr.Sakthi Kumar
Government Advocate (crl.side)



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ORDER

This criminal original petition has been filed seeking direction to the 2nd respondent not to interfere with the civil dispute between the petitioner and the 3rd respondent under the guise of any enquiry.

2.The grievance of the petitioner is that suppressing the civil issue between the parties, the third respondent has approached this Court by way of filing Crl.O.P.(MD).No.13138 of 2023, seeking direction to provide police protection. This petitioner has been shown as third respondent in that case. At the admission stage, the matter was disposed of, directing the respondent police herein to consider the representation, dated 13.07.2023.

3.But this petition has been filed stating that the second respondent is interfering with the civil dispute pending between the parties. Even though at the time of hearing the earlier application, it was submitted by the learned Additional Public Prosecutor that the representation was received by the second respondent herein. But, now it has been verified and stated that no such representation was received by the second respondent from the third respondent herein.



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4.It is the submission on the part of the petitioner that under the guise of enquiry, the second respondent came to the house of the petitioner and forced him to vacate the premises. But the above statement is disputed by the second respondent official, who is present before this Court stated that no one visited the place of the petitioner. Since it appears that it is an official statement to the effect that no representation has been received from the third respondent and no summon was issued to the petitioner, I find that this petition has been filed unnecessarily. If any trouble arises in future, the petitioner can revive the same in appropriate manner.

5.In view of the above said observation and liberty, this criminal original petition stands dismissed.

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

04.10.2023

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To

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Tirunelveli.
- 2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA. J.

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