



Crl.O.P.(MD) No.16286 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **15.09.2023**

CORAM:

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

Crl.O.P.(MD) No.16286 of 2023

Balandi

...Petitioner

Vs.

1.The Superintendent of Police,
Madurai District.

2.The Deputy Superintendent of Police,
Alanganallur Circle,
Madurai District.

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

4.Anandi

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 to 3 not to interfere with the civil dispute between the petitioner and the fourth respondent with respect to the cultivating land bearing S.Nos.83/1, 83/3B at Tandalai Village, Vadipatti Taluk, Alanganallur Sub Division, Madurai District.

For Petitioner : Mr.K.Mahendran
For R1 to R3 : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)



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ORDER

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This petition is filed seeking for a direction to the respondent Police not to interfere with the civil dispute pending between the petitioner and the 4th respondent with respect to the cultivating land in S.Nos.83/1, 83/3B at Tandalai Village, Vadipatti Taluk, Alanganallur Sub-division, Madurai District.

2.It is submitted by the learned counsel for the petitioner that the petitioner is a cultivating tenant of the previous owner, who sold the property in favour of the 4th respondent. The 4th respondent, after purchasing the land, is trying to dispossess the petitioner from the land in question and she has also filed a suit in O.S.No.987 of 2021 for recovery of possession pending on the file of the Sub Court, Madurai. Further, the husband of the 4th petitioner has also filed a complaint before the respondent Police, on which a case has been registered against the petitioner and others in Crime No.232 of 2023 for the offences punishable under Sections 147, 148, 294(b), 506(2), 441, 427 and 379 IPC for which, the petitioner stated to have obtained bail. He further submitted that with the help of the respondent Police, the 4th respondent is trying to evict the petitioner from the possession. It is also submitted that the petitioner has also filed O.S.No.1070 of 2023 on the file of the Sub Court, Madurai, wherein notice is ordered and the case is still pending. Hence, he sought for a suitable direction.



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3.The learned Government Advocate (Crl.Side) for the respondents 1 to 3 submitted that on the complaint given by the husband of the 4th respondent, investigating is going on and the Police are not intervening in the civil dispute pending between the petitioner and the 4th respondent.

4.In view of the above submissions made by the learned counsel on both sides, since the civil dispute between the petitioner and the 4th respondent is seized by the civil Court in O.S.No.987 of 2021, the respondent Police are directed not to interfere with the civil dispute. In case if any complaint is received from anybody against the petitioner alleging that the offences are committed, the respondent Police are at liberty to enquiry into the same and take suitable action by following due process of law.

5.With the above observation, this Criminal Original Petition is disposed of.

15.09.2023

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

Yuva



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DR.D.NAGARJUN. J.

Yuva

To

- 1.The Superintendent of Police,
Madurai District.
- 2.The Deputy Superintendent of Police,
Alanganallur Circle,
Madurai District.
- 3.The Inspector of Police,
Alanganallur Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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