



Crl.O.P.(MD) No.16460 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.16460 of 2023

Zhair Hussain

... Petitioner

Vs.

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

2. The Insepctor of Police,
Melur Police Station,
Madurai.

3. Baskaran

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to
direction the 2nd respondent not to harass the petitioner in the guise of enquiry

For Petitioner

: Mr.V.Karuna

For R1 & R-2

**: Mr.SS.Madhavan,
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 second respondent not to harass the petitioner under the guise of enquiry.

2. It is submitted by learned counsel for the petitioner that there are disputes between the petitioner and the Wakf Board, in respect of which, the petitioner is a member and in respect of the said issue, the third respondent has filed a complaint before the second respondent Police on the basis of which, the respondent Police have been harassing the petitioner in respect of submissions of all the records and documents required for the purpose of enquiry, thereby, sought for suitable directions.

3. Learned Government Advocate (Criminal Side, on the other hand, submits that, in respect of a dispute pertaining to the immovable properties, has molested two women and in respect of a complaint filed by the third respondent and the same was filed by the respondent Police in C.S.R.No.1139 of 2023 and



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enquiry is still pending. It is submitted that the petitioner is called only in respect of the enquiry with regard to the complaint given by the third respondent.

4. In view of the submissions made by both sides and on perusal of records, since the complaint appears to have been filed against the petitioner in respect of the alleged offence, the respondent Police can call the petitioner provided and the respondent Police are expected to follow due process. In case, if the dispute is in respect of a immovable property alone, the respondent Police have no role to play and intervene in the said dispute.

5. With this observation, this Criminal Original Petition is disposed of, directing the respondent Police not to harass the petitioner.

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

20.09.2023

tsg



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DR.D.NAGARJUN. J.

tsg

To

- 1.The Superintendent of Police,
Madurai District,
Madurai.
2. The Insepctor of Police,
Melur Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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