



CrI.O.P.(MD) No.16591 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD) No.16591 of 2023

1.Suresh

2.Mariya

... Petitioners

Vs.

1.The Commissioner of Police,
Madurai city,
Madurai.

2.The Inspector of Police,
K.Pudur Police station (Crime),
Madurai.

3. L.K Saravanan

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd respondent police not to harass the petitioners on the guise of enquiry in regard to sale agreement of the 3rd respondent insofar as the house site properties in R.S No. 51/2C, Old R.S No. 51/2 in Vandiyur Village I – Bit, Theppakulam Sub Division, Madurai.

For Petitioners

: Mr.S.Sukumar

For R1 & R2

: Mr.SS.Madhavan,
Government Advocate (Criminal Side)



CrI.O.P.(MD) No.16591 of 2023

WEB COPY

ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the respondent Police not to harass the petitioners under the guise of enquiry basing on a complaint given by the third respondent.

2. It is submitted by learned counsel for the petitioners that the third respondent has filed a false complaint even earlier also, basing on which, when the respondent Police were intervening, the first petitioner has filed CrI.O.P. (MD).No.15359 of 2022 and the same was disposed of on 26.08.2022 with a direction to the respondent Police not to intervene in the civil dispute. It is submitted that, in spite of that, respondent No.3 has filed a complaint and again the respondent Police are harassing the petitioners, thereby, sought for suitable directions.

3. Learned Government Advocate (Criminal Side), on the other hand, submits that respondent No.3 has filed a complaint before the learned Judicial Magistrate No.VI, Madurai, in CrI.M.P.No.3704 of 2023 under Section 156 (3) of Cr.P.C. and during the course of enquiry in the said petition, the petitioners were



CrI.O.P.(MD) No.16591 of 2023

WEB COPY

called for the enquiry and it is still pending as the petitioners were not appeared before the Court.

4. In view of the submissions made by both sides, since the respondent Police have initiated enquiry on the directions of the learned Magistrate, the petitioners are expected to appear before the respondent Police and submit the relevant documents in respect of the complaint given against them and on making of such appearance and on filing of such documents, the respondent Police are directed to expedite the enquiry in CrI.M.P.No.3704 of 2023 and dispose of the same as quickly as possible and submit the report before the learned Judicial Magistrate as directed.

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

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

20.09.2023

tsg

3/4



WEB COPY



CrI.O.P.(MD) No.16591 of 2023

DR.D.NAGARJUN. J.

tsg

To

- 1.The Commissioner of Police,
Madurai city,
Madurai.
- 2.The Inspector of Police,
K.Pudur Police station (Crime),
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.(MD) No.16591 of 2023

20.09.2023