



CrI.O.P.(MD) No.16907 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.09.2023**

CORAM:

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

CrI.O.P.(MD)No.16907 of 2023

Esakiammal

... Petitioner

Vs.

1.The State Represented through the
Superintendent of Police,
Tirunelveli District.

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

3. S. Wilson

4. Malathi

5. Bagavathii Perumal

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Respondent No.2 not to harass the Petitioner and her family members in the guise of enquiry.



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For Petitioner :Mr.Karunanidhi. R

For R1 and R2 :Mr.SS.Madhavan
Government Advocate (crl.side)

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking for a direction to the respondent No.2 police not to harass the petitioner under the guise of an enquiry.

2.It is submitted by the learned counsel for the petitioner that the petitioner has mortgaged her immovable property in favour of the respondent No.3 and the respondent No.3 without the knowledge and right of the petitioner has sold the said property in favour of the respondent No.4 and the respondent Nos.4 and 5 have though filed a suit against the petitioner in O.S.No.100 of 2019 on the file of the District Munsif Court, Valliyoor, subsequently, the said suit was withdrawn by them. It is submitted further that after the withdrawal of the said suit, the respondent No.5 has filed a complaint before the respondent police, basing on which the police have been harassing the petitioner and therefore, sought for suitable directions.



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WEB COPY 3. The learned Government Advocate (Crl.side) submits that earlier the respondent No.5 has filed one complaint and after enquiry it was closed. It is submitted further that the respondent No.5 has filed another complaint and the same is registered as CSR.No.341 of 2023 and the same was enquired into and after due enquiry, it was closed on the ground that the dispute between the petitioner and the respondent No.5 is purely civil in nature and as of now, no case is pending against the petitioner. It is submitted further that subsequent to the closure of the complaint filed by the respondent No.5, another complaint was sent to the SP, which was forwarded to the respondent police and that was also closed. The same is recorded.

4. Since the complaints filed by the respondent No.5 have already been closed, no further directions can be given in this case. Accordingly, this Petition is disposed of. In case if the petitioner feels that there is a threat from the respondent Nos.4 and 5, the petitioner is at liberty to file a civil suit appropriately.

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

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To

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



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DR.D.NAGARJUN. J.

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