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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Dated : 21.06.2024

CORAM:

**THE HONOURABLE MR. JUSTICE M.DHANDAPANI**

Crl.R.C.No.843 of 2024

V.Annamalai

...Petitioner

Vs.

1. The Inspector of Police,  
E-3, Teynampet Police Station,  
Chennai.

2. The Commissioner of Police,  
Greater Chennai Police,  
No.132, Commissioner Office Building,  
EVK Sampath Road, Vepery, Chennai-7.

3. Paneer Selvam

4. Guruswamy Dhanraj

5. Mahesh Manoharan

... Respondents

Prayer: The Criminal Revision case has been filed under Section 397 of Code of Criminal Procedure to call for the records and set aside the order dated 11.01.2024 passed in Crl.M.P.No.724 of 2024 passed by the XVIII Metropolitan Magistrate, Saidapet.

For Petitioner : Mr.P.Jesus Moris Ravi

For Respondent : Mr.A.Gopinath RR1 & 2  
Govt. Advocate (Crl. Side)  
Mr.R.William Christopher RR3 to 5  
For M/s.Kameshwaran

**ORDER**



This Criminal Original Petition has been filed to quash the order dated 11.01.2024 passed in CrI.M.P.No.724 of 2024 passed by the XVIII Metropolitan Magistrate, Saidapet.

2. The case of the prosecution is that the petitioner has purchased the property in No.146/1, Habibullah Road, T.Nagar, Chennai from one Sarangaraj Kumar in the year 2023. In order to renovate the said property, the petitioner has entered into an agreement with the third respondent, who is a proprietor of M/s.Sarbesh Planners and Builders. Thereafter, the third respondent has not completed the work in time, for which, a dispute arose between the petitioner and the third respondent. Hence, the petitioner lodged a complaint before the first and second respondents against the respondents 3 to 5. They did not take any action against the respondents 3 to 5. Hence, the petitioner filed a complaint before the Metropolitan Magistrate under Section 156(3) Cr.P.C. And the same was dismissed. Challenging the same, the present petition has been filed.

3. The learned counsel for the petitioner submitted that the petitioner is ready to pay a sum of Rs.5 Lakhs to the third respondent and this Court may direct the third respondent not to interfere with the petitioner's property, after receipt of the amount.



4. The learned counsel for the respondents 3 to 5 has not made any objection in this regard.

5. Heard the learned counsel for the petitioner as well as the learned counsel for the respondents and perused the materials available on record.

6. The petitioner and the third respondent has appeared before this Court in person. This Court also enquired both the parties and satisfied that the parties have come to an amicable settlement between themselves. In this regard, the petitioner has produced a sum of Rs.5 Lakhs by way of Demand Draft to the third respondent. The third respondent has also received the said demand draft.

7. Considering the facts and circumstances of the case, this Court passes the following orders:

*"i) The third respondent shall not interfere with the peaceful possession and enjoyment of the petitioner's property;  
and*

*ii) If the respondents 3 to 5 made any hindrance to the petitioner, the respondent police shall take stringent action against them."*

M.DHANDAPANI,J.



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8. With the above directions, this petition is disposed of.

**21.06.2024**

Index : Yes/No  
Speaking order/non speaking order  
rli

To

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Chennai.

2. The Commissioner of Police,  
Greater Chennai Police,  
No.132, Commissioner Office Building,  
EVK Sampath Road, Vepery, Chennai-7.

3. The XVIII Metropolitan Magistrate, Saidapet.

4. The Public Prosecutor,  
High Court, Madras.

CrI.R.C.No.843 of 202421.06.2024