



CrI.O.P.(MD)No.223 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.01.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.(MD)No.223 of 2024

1. Kaleeswaran
2. Kalidurai

...Petitioners

Vs.

1. The Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.
2. The Inspector of Police,
District Crime Branch,
Ramanathapuram District.
3. Abdul Wahaf Sagarani,
Jamath President,
Sundarapuram Muslim Jamath,
Sundarapuram, Kamuthi,
Ramanathapuram District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Respondent No.2 herein not to interfere in the civil disputes on the guise of the enquiry in pursuance to the complaint lodged by the third Respondent.



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For Petitioner : Mr.G.Vishnuram

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

This Criminal Original Petition had been filed not to interfere in the civil disputes under the guise of an enquiry in pursuance to the complaint lodged by the third Respondent.

2. When the matter came up for hearing, the learned Additional Public Prosecutor submitted that the property belongs to the Sundarapuram Muslim Jamath. The Petitioners are alleged to have created false documents to the property belonging to the Sundarapuram Muslim Jamath, Ramanathapuram District. Aggrieved over the same, the third Respondent lodged a complaint before the second Respondent. The second respondent had registered CSR and summons issued to the Petitioners herein. Instead of appearing before the second respondent, they had filed this petition seeking direction not to interfere in the civil dispute under the guise of an enquiry. The learned Additional Public Prosecutor submitted that as per the guidelines issued by the Hon'ble Supreme Court in the case of ***Lalitha***

Kumari Vs. State of Uttar Pradesh reported in ***(2014) 2 SSC 1***, the second



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respondent had issued summons and as a citizen of this country, the
Petitioner shall co-operate with the pending enquiry.

3. In the light of the submission made by the learned Additional Public Prosecutor, the Petitioners No.1 and 2 are directed to appear before the second Respondent. The second Respondent is directed to act as per the guidelines issued by the Hon'ble Supreme Court in the case of ***Lalitha Kumari Vs. State of Uttar Pradesh*** reported in ***(2014) 2 SSC 1 and Arnesh Kumar Vs. State of Bihar and another [2014 (8) SCC 273]***.

4. With the above said direction, this Criminal Original Petition is disposed of.

09.01.2024

Index : Yes/No

Internet: Yes/No

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To

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

2. The Inspector of Police,
District Crime Branch,
Ramanathapuram District.



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SATHI KUMAR SUKUMARA KURUP, J.,

jbr

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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