



Crl.O.P.(MD) No.2402 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.2402 of 2024

Gopal

...Petitioner

VS

**1.The Commissioner of Police,
Madurai City,
Madurai.**

**2.The Assistant Commissioner of Police,
Tallakulam Police Station,
Madurai.**

**3.The Inspector of Police,
Sellur Police Station (D2),
Madurai.**

4.J.Sangeetha

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, directing the 2nd respondent not to harass the Petitioner and his wife based on the false complaint of the fourth Respondent under the guise of enquiry.



WEB COPY



Crl.O.P.(MD) No.2402 of 2024

For Petitioner : Mr.M.Gnana Guru Nathan
For R1 to R3 : Mr.M.Veeranthiran
Government Advocate (Crl.side)

ORDER

The learned Counsel for the Petitioner submits that the Petitioner is in enjoyment of the property, that was settled in his favour by his father. While so, the son of the Petitioner died on 03.09.2020. Till such time, the Petitioner was receiving the rent from the tenants. After the death of the Petitioner's son, the daughter-in-law of the Petitioner, the fourth Respondent herein demanded that she should receive the rent and had preferred a complaint with the third Respondent. The Respondents 2 and 3 are summoning the Petitioner for the same, based on the complaint of the daughter-in-law of the Petitioner. The dispute between the Petitioner and the daughter-in-law is purely civil in nature, for which the third Respondent is involving himself and summoning the Petitioner through mobile calls causing harassment to him. Therefore, he was forced to file this Petition seeking directions against the Respondents 1 to 3 not to harass him.



Crl.O.P.(MD) No.2402 of 2024

2.The learned Government Advocate (Crl.side), on instructions of the third Respondent, would submit that current paper was registered based on the complaint of the fourth Respondent. Based on the complaint of the fourth Respondent, the tenants were summoned by the third Respondent. The tenants of the Petitioner had given written undertaking that they will pay the rent to the fourth Respondent. Therefore, the current paper was closed.

3.The conduct of the third Respondent is found unacceptable, in the light of the submissions made by the learned Counsel for the Petitioner. As submitted by him, it is strictly a civil dispute between the daughter-in-law and the father-in-law, for which the Respondents 1 to 3 cannot involve themselves or use their police powers. Considering the same as a civil dispute, this Criminal Original Petition is closed with a direction to the Respondents 1 to 3 not to cause harassment to the Petitioner.

Internet:Yes./No
Index:Yes/No
mm

15.02.2024

3/5



CrI.O.P.(MD) No.2402 of 2024

To

WEB COPY

- 1.The Commissioner of Police,
Madurai City,
Madurai.
- 2.The Assistant Commissioner of Police,
Tallakulam Police Station,
Madurai.
- 3.The Inspector of Police,
Sellur Police Station (D2),
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.2402 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

mm

CRL.O.P (MD) No.2402 of 2024

15.02.2024