



Crl.O.P.(MD).No.2513 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.02.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD).No.2513 of 2024

M.Baskaran

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Podinayakkanur,
Theni District.

3.The Inspector of Police,
Podinayakkanur Taluk Police Station,
Theni District.

4.Dharmaraj

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the third Respondent and their officials not to harass the Petitioner on the basis of the Petitioner's representation dated 11.12.2023.

For Petitioner : Mr.S.Shanmugam

For R-1 and R-2 : Mr.M.Veeranthiran
Government Advocate
(Criminal Side)



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ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this Criminal Original Petition seeking direction against the Respondent Police not to harass the Petitioner on the pretext of enquiry, based on the complaint of the fourth Respondent.

2. The learned Government Advocate (Criminal Side), on instructions of the Respondents 1 to 3 would submit that the Petitioner is an agricultural tenant and the fourth Respondent is the subsequent owner of the property. The Petitioner is doing agriculture in the subject property and there was a dispute between the Petitioner and the fourth Respondent regarding sale agreement of the subject property. Hence, a complaint had been preferred by the fourth Respondent against the Petitioner, based on which CSR No.691/2023 was also issued.

3. The learned Counsel for the Petitioner by way of reply submitted that the Petitioner is a tenant to the earlier landlord. Subsequently, the property was sold to the fourth Respondent. The Petitioner entered into sale agreement with the De-Facto Complainant / 4th Respondent. Subsequently, the fourth Respondent approached the Respondent Police seeking to vacate the Petitioner



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from the said land. The Petitioner has also filed suit for specific performance in O.S.No.225 of 2023 before the District Court, Theni. The fourth Respondent also filed a suit in O.S.No.195 of 2023 before the Bodinayakkanur Civil Court.

4. In the light of the submissions of the learned Counsel for the Petitioner and the learned Government Advocate, the Respondents 1 to 3 are directed to follow the circular issued by the Director General of Police, Head of State Police Force, Tamil Nadu.

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

19.02.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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Theni.
- 2.The Deputy Superintendent of Police,
Podinayakkanur,
Theni District.
- 3.The Inspector of Police,
Podinayakkanur Taluk Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

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