



Crl.O.P.(MD) No.3826 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.3826 of 2024

Muthumeenal

...Petitioner

VS

**1.The Superintendent of Police,
Dindigul,
Dindigul District.**

**2.The Inspector of Police,
Eriyodu Police Station,
Eriyodu,
Dindigul District.**

3.Mallika

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the 2nd Respondent herein not to interfere in the civil dispute pending between the Petitioner and the 3rd Respondent and direct him not to harass the Petitioner and his family members by insisting to vacate the house under the guise of enquiry based on the complaint given by the 3rd Respondent.



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For Petitioner : Mr.R.Thangapandian

For R1 & R2 : Mr.M.Veeranthiran
Government Advocate (CrI.side)

ORDER

The learned Counsel for the Petitioner submits that the Petitioner is a retired Social Welfare Officer from the Government service. It is the contention of the learned Counsel for the Petitioner that the Petitioner's husband was granted property in the family partition, by which 1/3rd of the properties were to be equally divided between the Petitioner's husband, his brother and sisters. The third Respondent herein is the sister-in-law of the Petitioner herein. Subsequently, the husband of the Petitioner died. Taking advantage of the absence of the Petitioner's husband, the third Respondent, who is working as PG Assistant in the Government school, had created documents and had given a false complaint against the Petitioner herein. Expecting that the third Respondent will indulge in fraudulent documents, the Petitioner had approached the civil Court and filed Caveat Petition, which is still pending. While so, the third Respondent is alleged to have given a complaint to the second Respondent, by which the second



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Respondent had been harassing the Petitioner to appear for enquiry. Since it is a civil dispute, the Petitioner was forced to file this Petition seeking direction against the Respondents 1 and 2 not to interfere in the civil dispute.

2.The learned Government Advocate (CrI.side) on instruction of the Respondents 1 and 2 submits that based on the complaint of the third Respondent, the second Respondent had registered the FIR in Crime No.61 of 2024 for the offences under Sections 447 and 427 IPC. Therefore, the second Respondent had summoned the Petitioner. He would further submit that the second Respondent is ready to abide by the conditions stipulated in the reported rulings of the Hon'ble Supreme Court in the case of ***Lalitha Kumari Vs. State of Uttar Pradesh*** reported in ***(2014) 2 SSC 1*** and the case of ***Arnesh Kumar Vs. State of Bihar and another*** reported in ***2014 (8) SCC 273*** by issuing summons specifying the time and date for appearance of the Petitioner.



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Recording the submission of the learned Government Advocate

(Crl.side), this Criminal Original Petition is closed.

Internet: Yes./No

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Index: Yes/No

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To

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



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SATHI KUMAR SUKUMARA KURUP, J.

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