



Crl.O.P.(MD)No.10061 of 2024

WEB COBEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2024

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.10061 of 2024

R.Sheik Abubakkar Siddiq

... Petitioner

Vs

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

**2.The Inspector of Police,
District Crime Branch,
Land Acquisition,
Tirunelveli District.**

3.B.Subbiah

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent herein not to harass the petitioner under the guise of enquiry and not to interfere in the civil suit in O.S No. 170/2014.

**For Petitioner
For R1 & R2**

**: Mr.J.Jeyakumaran
: Mr.M.Satkhi Kumar
Government Advocate(Crl.side)**



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ORDER

The petitioner has approached this Court to direct the second respondent not to harass the petitioner under the guise of enquiry and not to interfere in the civil dispute which is pending in O.S No. 170/2014.

2.The learned counsel appearing for the petitioner submits that the third respondent, a retired police is disturbing the petitioner's peaceful possession of the property, through his friend/the second respondent herein. He further submits that the third respondent appears to have purchased the property from one Anthoniammal and the said Anthoniammal is said to have executed a sale deed in favour of the petitioner. The vendor of the said Anthoniammal claims that the document executed by her in favour of the petitioner is a genuine document. Admittedly, the possession of the property is with the petitioner. The third respondent has filed a civil suit as against this petitioner and seven others in O.S. No.170 of 2014 before the



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Additional Sub Court, Tirunelveli for declaration and for recovery of possession and also to set aside the decree passed in O.S.No.163 of 2010 by the Principal Sub Court, Tirunelveli. He further submits that when the suit is pending, on the very same issue, this complaint has been lodged as against this petitioner after 10 years with the help of the respondent police.

3.Mr.M.Satkhi Kumar, learned Government Advocate (Crl.side) takes notice for the respondents 1 & 2 and submits that on the complaint given by the third respondent, they are conducting an enquiry and it is still pending.

4.The respondent police is not supposed to keep the petition enquiry pending for more than fifteen days in normal cases and six weeks in exceptional cases. In the event, if any cognizable offence is made out, the respondent ought to register a complaint and take initiative on it. Therefore, this Criminal Original Petition is allowed with a direction to the respondent police to take a decision on the complaint, which is pending, within a period of two weeks from the



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date of receipt of a copy of this order. The respondent police shall not harass the petitioner.

08.07.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

vrn

To

- 1.The Superintendent of Police,
Tirunelveli,
Tirunelveli District.
- 2.The Inspector of Police,
District Crime Branch,
Land Acquisition,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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Order made in
Crl.OP(MD)No.10061 of 2024

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