



Crl.O.P.(MD)No.13693 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.13693 of 2024

S.Anitha Lakshmi

: Petitioner

Vs.

1.The Commissioner of Police,
Madurai City.

2.The Inspector of Police,
Tiruppalai Police Station,
Madurai District.

3.A.Rajagopal

: Respondents

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S., to direct the second respondent not to interfere in the civil dispute, pertaining to S.No.125/1E and 125/2A1A4 situated at Tagore Nagar, 7th street, Siruthur Village, Tiruppalai, Madurai District by consider the petitioner's representation, dated 13.08.2024.

For Petitioner : Mr.A.Arul Jenifer

For Respondents : Mr.P.Kottai Chamy,
Government Advocate (Criminal Side),
for R1 & R2.



Crl.O.P.(MD)No.13693 of 2024

ORDER

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This Criminal Original Petition filed, under Section 528 of B.N.S.S., seeking orders, to direct the second respondent not to interfere in the civil dispute, pertaining to S.No.125/1E and 125/2A1A4 situated at Tagore Nagar, 7th street, Siruthur Village, Tiruppalai, Madurai District by consider the petitioner's representation, dated 13.08.2024.

2. The learned counsel for the petitioner would submit that the property in dispute is belonging to the petitioner and since the third respondent has raised rival claim, the petitioner was constrained to lodge the complaint and on that basis, FIR came to be registered in Crime No. 629 of 2024 of the offence under Sections 406, 420, 294(b), 441, 447, 468, 339, 350, 120B, 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002 and that when the petitioner was attempting to make construction, the respondent Police, at the instance of the third respondent, has directed the petitioner not to proceed with the construction. He would further submit that the third respondent has filed a suit for permanent injunction and his application for temporary injunction was dismissed and as of now, there is no appeal.



Crl.O.P.(MD)No.13693 of 2024

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3. The learned Government Advocate (Criminal Side) appearing for the State has reiterated the contentions made by the petitioner. He would further submit that the investigation in Crime No. 629 of 2024 is pending.

4. Considering the submissions made by the learned counsel on either side, the second respondent is directed not to harass the petitioner and they are at liberty to proceed with the investigation in Crime No.629 of 2024.

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

21.08.2024

NCC : Yes/ No
Index : Yes/No
Internet : Yes/ No
das



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Crl.O.P.(MD)No.13693 of 2024

K.MURALI SHANKAR,J.

das

To

- 1.The Commissioner of Police,
Madurai City.
- 2.The Inspector of Police,
Tiruppalai Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.13693 of 2024

Dated: 21.08.2024