



Crl.O.P.(MD)No.17231 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.17231 of 2024

J.Thilagavathy

... Petitioner

Vs.

1.The Superintendent of Police,
O/o. The Superintendent of Police,
Theni District.

2.The Inspector of Police,
District Crime Branch-I,
Theni District, Theni.

3.The Inspector of Police,
District Crime Branch-II,
Theni District, Theni.

4.L.Ravi

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to direct the respondents 1 to 3 not to interfere in the dispute which is
civil in nature.

For Petitioner : Mr.S.Ramasundarvijayraj

For R1 to R3 : Mr.P.Kottaichamy
Government Advocate (Crl. Side)

For R4 : Mr.C.Jeganathan



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ORDER

This criminal original petition has been filed seeking orders to direct the respondents 1 to 3 not to interfere in the dispute which is civil in nature.

2.The learned counsel appearing for the petitioner would submit that the petitioner has earlier filed a petition in CrI.O.P.(MD)No.13451 of 2024 seeking direction not to interfere in the civil dispute and this Court vide order dated 16.08.2024 directed the Inspector of Police, DCB-II, Theni District to issue written summons to the petitioner as well as the private respondent, conduct enquiry and at the end of the enquiry, if any cognizable offence is made out, directed to register FIR and before registering FIR, the petitioner has to be given opportunity to move concerned Court for anticipatory bail. He would further submit that in pursuance to the directions of this Court, enquiry was conducted and since there existed civil dispute between the parties, directed them to approach the competent civil Court and closed the complaint on



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11.09.2024, that subsequently, the third respondent has again lodged a similar complaint before the District Crime Branch-I, Theni and after receiving complaint, they have sent summons to the petitioner to appear for enquiry on 27.09.2024 and that therefore, the petitioner was constrained to approach this Court.

3.The learned Government Advocate (Crl.side) appearing for the official respondents would submit that in pursuance to the directions of this Court, enquiry was conducted and the same was closed directing the parties to approach the civil Court. He has also produced a copy of the closure report.

4.The learned counsel appearing for the fourth respondent would submit that the fourth respondent was informed that the case was transferred to the file of the District Crime Branch-I, Theni.

5.It is evident from the records that in pursuance to the directions, enquiry was conducted and taking note of the fact that there is a dispute with regard to the Will, the Inspector of Police directed the parties to sort



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out their issue before the civil Court and closed the complaint and thereafter, the fourth respondent lodged similar complaint. Since similar complaint was ordered to be closed, the second respondent is directed to consider the same and pass orders, within a period of one week from the date of receipt of a copy of this order.

6.With the above directions, this criminal original petition is disposed of.

14.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns



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To

- 1.The Superintendent of Police,
O/o. The Superintendent of Police,
Theni District.
- 2.The Inspector of Police,
District Crime Branch-I,
Theni District, Theni.
- 3.The Inspector of Police,
District Crime Branch-II,
Theni District, Theni.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

gns

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