



Crl.O.P.(MD)No.19213 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.19213 of 2024

1.K.Najirin Banu
2.Shanavas

... Petitioners

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Superintendent of Police,
Madurai District, Madurai.

3.The Deputy Superintendent of Police,
District Crime Branch II,
District Police Office,
Madurai.

4.Irulayee

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, 2023, to direct the third respondent not to interfere in the civil dispute and not to harass the petitioners under the guise of enquiry.

For Petitioners
For R1 to R3

: Mr.A.R.Kannappan
: Mr.K.Sanjai Gandhi
Government Advocate (Crl.side)



Crl.O.P.(MD)No.19213 of 2024

WEB COPY

ORDER

The petitioner seeks direction directing the third respondent not to interfere in the civil dispute and not to harass the petitioner under the guise of enquiry.

2. The second petitioner admits that he is running a real estate business for the past 25 years and on 22.10.2009, one Meenakshi had executed a registered a power Attorney in favour of second petitioner for dealing with land. Based on the same, the second petitioner had executed a registered sale deed in favour of the fourth respondent in the year 2012. After lapse of twelve years, the fourth respondent lodged a false complaint on 20.08.2024 before the second respondent alleging that the first petitioner's father-in-law, namely, Muneer and her sister-in-law Parveen Banu and Abitha abused the fourth respondent, threatened her with dire consequences. The said complaint was forwarded to the third respondent, the third respondent issued summon on 23.08.2024, after receipt of the summon, the second petitioner appeared before the third respondent and produced all documents. But, the petitioners have been



Crl.O.P.(MD)No.19213 of 2024

called often and the petitioners appeared on 02.11.2024 and they have been forced to settle with the fourth respondent, otherwise he and his family members would be remanded. Hence, the above petition.

3. The learned Government Advocate (Crl.side), on instructions, would submit that after enquiry with the principal of the second petitioner viz., Meenakshi, who is residing at Chennai and hence, sent letter on 18.11.2024, in which, she had executed a power of attorney to the second petitioner on 22.10.2009 and her role was limited after executed a power of attorney and she is lady aged about 72 years with health ailments. Further she had sent a copy of the power of attorney. From the power of attorney, it is seen the second petitioner was given power to deal with 40 cents of land in S.No.275/8 and 60 cents of land in S.No.75/5A situated at Alanganallur Village, Maudrai. The second petitioner exceeding the power of attorney had executed a sale deed for the other property, which he has no power, creating forged documents, for that reason only, the petitioner and family members were called for enquiry, but now the petitioners termed it as harassment. Further submitted that after the statement from the principal of the second



Crl.O.P.(MD)No.19213 of 2024

petitioner and receipt of the power of attorney, appropriate steps would be taken.

4. In view of the above, the petitioners are directed to appear before the respondent police as last chance on 03.01.2025, without fail, to settle the issue, otherwise appropriate action can be taken.

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

NCC : Yes / No
Index : Yes / No
Rmk

29.11.2024

NOTE : Issue order copy on 02.01.2025



Crl.O.P.(MD)No.19213 of 2024

WEB COPY

To

- 1.The Commissioner of Police,
Madurai City,
Madurai.
- 2.The Superintendent of Police,
Madurai District, Madurai.
- 3.The Deputy Superintendent of Police,
District Crime Branch II,
District Police Office,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



Crl.O.P.(MD)No.19213 of 2024

M.NIRMAL KUMAR, J.

Rmk

Order made in
Crl.O.P.(MD)No.19213 of 2024

Dated: 29.11.2024