



Crl.O.P.(MD) No.4836 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE P.DHANABAL

Crl.O.P.(MD) No.4836 of 2024

1. Arivuselvan

2. Muthupandi

... Petitioners

Vs

1. The Superintendent of Police,
Sivagangai District, Sivagangai.

2. The Deputy Superintendent Of Police,
Sivagangai Taluk, Sivagangai District.

3. The Inspector of Police,
Town Police Station, Sivagangai District.

4. T.S Saravanan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the 3rd respondent police to not to harass the petitioner in the guise of enquiry and consequently direct the 2nd respondent to follow the circular in C.No. 18/ADGP/L and O/Camp/2024, dated 09.01.2024.

For Petitioners : Mr. N.Jeyaram Sidharth

For Respondents : Mr.M.Sakthi Kumar (R1-3)

Government Advocate (Crl.Side)

Mr.R.J.Karthick (R4)



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ORDER

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This Criminal Original Petition has been filed to direct the 3rd respondent police not to harass the petitioner in the guise of enquiry.

2. According to the petitioners, the fourth respondent has lodged a false complaint in the year 2022 and the same was closed after enquiry. Again the fourth respondent has lodged another complaint before the Judicial Magistrate Court and the same was forwarded to the police and the same was also enquired and closed. Thereafter, again the fourth respondent has filed a petition under Section 200 Cr.P.C., before the Judicial Magistrate Court and the same is pending. In the meantime, the petitioners have also filed a petition to quash the proceedings and the same is pending. Taking advantage of the same, the third respondent harassed the petitioners by calling them for enquiry frequently. Already the complaint lodged by the fourth respondent against the petitioners were closed twice, inspite of that, the third respondent insisted the petitioners to appear for enquiry.

3. The learned Government Advocate (Crl.Side) appearing for the respondents 1 to 3 would submit that the fourth respondent lodged a



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complaint against the petitioners and the same was already closed in the year 2022 and for the same set of allegations, he has lodged a fresh complaint and the same is under enquiry. Only for enquiry purpose, they have called the petitioners and they have not harassed the petitioners. They will complete the enquiry within a period of one week.

4.The learned counsel appearing for the fourth respondent would submit that since the petitioners have committed offence of defamation against the fourth respondent, he has lodged a complaint against the petitioners and since the police has not taken any steps, he filed a private complaint and the same is also pending.

5.Heard the learned counsel on either side and perused the records.

6.The prayer of the petitioners is not to harass the petitioners by the respondent police and the third respondent police denied the allegations made by the petitioners and it is an admitted fact that fourth respondent has lodged a complaint against the petitioners, thereby, the third respondent called



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the petitioners for enquiry. Since the enquiry is pending based on the complaint given by the fourth respondent, it is for the third respondent to complete the enquiry within a period of one week.

7.In view of the above, the third respondent is directed to conduct enquiry based on the complaint given by the 4th respondent and dispose the same within a period of one week from the date of receipt of copy of this order. With the above observations and directions, this petition stands disposed of.

14.03.2025

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

PNM

To

1. The Superintendent of Police,
Sivagangai District, Sivagangai.
2. The Deputy Superintendent Of Police,
Sivagangai Taluk, Sivagangai District.
3. The Inspector of Police,
Town Police Station, Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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P.DHANABAL, J.

PNM

ORDER IN
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