

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2015

CORAM

THE HONOURABLE MR. **JUSTICE R.SUBBIAH**

Crl.O.P.No.26757 of 2015

1. K.Kalid

2. A.K.Ananthan

... Petitioners

Vs

The State
rep. By Inspector of Police,
Thalambur Police Station,
Thalambur,
Chennai .

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to
direct the respondent herein not to harass the petitioners under the
pretext of enquiry.

For Petitioners : Mr.M.Sivavarthanan

For respondent : Mr.C.Emalias,
Addl.Public Prosecutor

O R D E R

The present petition has been filed to direct the respondent
herein not to harass the petitioners under the pretext of enquiry.

2. When the matter is taken up for consideration, learned counsel for the petitioners stated that the 1st petitioner is the owner of the land in survey No.80/5, Thazhambur Village, Chengalpattu Taluk, Kancheeruram District, measuring about 2 hectares and 2.5 ares, comprised in patta No.271. The 1st petitioner got the said property by way of settlement deed dated 6.9.2012. The 1st petitioner has appointed the 2nd petitioner as his power of attorney to manage the property. The 1st petitioner has absolute title over the said property. While so, the respondent police are frequently calling the petitioners to appear for enquiry, based on the complaint given by one Jothi and Ramani in respect of the said land and compelled the 1st petitioner to cancel the power of attorney.

3. Learned Additional Public Prosecutor submitted that a complaint was lodged against these petitioners stating that they have created fake document and that is the reason the petitioners are called for enquiry and absolutely, there is no intention on the part of the respondent to harass the petitioners.

4. Learned counsel for the petitioners denies the allegation that the petitioners have created fake documents.

5. Considering the submissions made by the learned counsel for the petitioners and the learned Additional Public Prosecutor, this Court is constrained to pass the following order:-

(i) The petitioners are directed to co-operate with the enquiry.

(ii) The respondent police is directed to conduct the enquiry in accordance with law, without harassing the petitioners.

5. The criminal original petition is disposed of accordingly.

20.11.2015

Index:Yes/No
Internet:Yes/No
vsi

To

1. The Inspector of Police,
Thalambur Police Station,
Thalambur,
Chennai .

2.The Public Prosecutor,
High Court, Madras.

R.SUBBIAH.,J.

Vsi

Crl.O.P.No.26757 of 2015

20.11.2015