

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.27042 of 2015

T.H.Rajmohan

... Petitioner

Vs

The State rep. By
The Assistant Commissioner of Police,
Avadi Range,
Avadi,
Chennai.

(Crime No.Not known of 2015) ... Respondent

Criminal Original Petition filed under Section 482
Cr.P.C. to direct the respondent not to harass the petitioner in
respect of Crime No.Not known of 2015 on the file of the
respondent police.

For Petitioner : Mr.S.Gunalan

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

O R D E R

This petition has been filed to direct the respondent
not to harass the petitioner in respect of Crime No.Not known of
2015 on the file of the respondent police.

2. The case of the petitioner is that the property measuring
an extent of 62 cents belongs to one P.T.S.Manian, M.Balan and
A.Raji and they derived title to the property through their
grand mother Deivanaiammal and the three successors in title
executed Power of Attorney in favour of the petitioner and the
petitioner sold the property to M/s.Suguna, Rukmani and
Jayaraman by three different sale deeds. While so, one Jeeva
filed a suit in O.S.No.316/2006 before the District Musnif cum
Judicial Magistrate, Abmattur for declaration and injunction in
respect of the said property and an interim injunction was
granted on 04.08.2006. In this circumstances, the said Balan had
lodged a complaint against the petitioner before Thirumulaivoyal

Police Station and the petitioner filed an anticipatory bail application but the same was closed as no complaint was registered. But the respondent police are frequently calling the petitioner and harassing him. Hence, the present petition.

3. Learned Additional Public Prosecutor submitted that it is incorrect to state that the respondent police is harassing the petitioner. Since a complaint was lodged by the said Balan, only for the purpose of enquiry, the respondent police is calling the petitioner. He further submitted that in the enquiry, the petitioner has agreed to return certain documents to Balan and he has also given a letter to that effect.

4. Considering the factual aspects of the case, without going into the merits and demerits of the contentions raised on either side, this Court is constrained to pass the following order:-

(i) The petitioner is directed to cooperate with the enquiry.

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

5. The criminal original petition is disposed of accordingly.

vsi

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Assistant Commissioner of Police,
Avadi Range,
Avadi,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to M/s.S.Gunalan, Advocate SR 62769

ca(co)
prk15/12

Cr1.O.P.No.27042 of 2015