

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Cr1.O.P.No.3602 of 2015

Eswaran

.. Petitioner

Vs.

1.Inspector of Police
Central Crime Branch
Tiruppur, Tiruppur District.

2.The Superintendent of Police
Tiruppur, Tiruppur District. .. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent police not to harass the petitioner on the basis of the false and frivolous complaint given by the defacto complainant by name Periya Nachimuthu Gounden dated 31.08.2014.

For Petitioner : Mr.S.P.Meenakshisundaram

For Respondents : Mr.M.Maharaja
Addl. Public Prosecutor

O R D E R

Heard both sides.

2.The petitioner has come forward with this petition directing the first respondent not to harass the petitioner on the basis of the enquiry in Crime No.23 of 2009 on the file of the first respondent. The petitioner is claiming right over the property as per the Will dated 03.01.1953 and he was directed to produce the original Will.

3.Considering the submissions made on both sides, I am inclined to give a direction to the first respondent not to harass the petitioner under the guise of enquiry in Crime No.23 of 2009 and follow the dictum laid down in D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610.

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

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

1.Inspector of Police
Central Crime Branch
Tiruppur, Tiruppur District.

2.The Superintendent of Police
Tiruppur, Tiruppur District.

3.The Public Prosecutor,
High court, Madras.104.

1 cc to mr.S.P. Meenakshi Sundaram, advocate, Sr. 8250

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सत्यमेव जयते

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