

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.29453 of 2015

K.R.Jothi

... Petitioner

Vs

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

2. The Inspector of Police,
Kunrinjipadi Police Station,
Kurinjipadi,
Cuddalore District.

... Respondents

Criminal Original Petition filed under Section 482
Cr.P.C. to direct the second respondent not to harass the
petitioner herein.

For Petitioner : Mr.K.A.Ravindran

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

ORDER

The present criminal original petition has been filed
seeking a direction to the second respondent not to harass the
petitioner.

2. It is the case of the petitioner that the land in
Re-Survey No.435/27 measuring to an extent of 1265 sq.ft. at
Ambedkar Nagar, Kurinjipadi Village, originally belonged to him.
He conveyed the said property in favour of his son. Since his
son is working in USA, he has given power to the petitioner to
deal with the said property. Whenever the petitioner tried to
sell the said property, one K.Arivazhagan is preventing the
proposed purchasers to buy the property stating that he is the
owner of the property. He has also affixed bit notices around
the property. In fact, the petitioner has obtained a decree
from the civil Court in his favour in respect of the said
property. Since the said K.Arivazhagan is making an attempt to

encroach the property, the petitioner lodged a complaint with the second respondent police. While so, the said K.Arivazhagan has also given a false complaint as against the petitioner. Based on the said complaint, under the guise of enquiry, the second respondent police is frequently calling the petitioner and harassing him. Hence, the petition.

3. Learned Additional Public Prosecutor submitted that on the complaint given by the said K.Arivazhagan, petition enquiry is pending and only for the purpose of enquiry, the petitioner was called by the second respondent police and absolutely, there is no harassment and in order to avoid enquiry, the petitioner has filed the present petition.

4. Irrespective of the submissions made by the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor, this Court is constrained to pass the following order:-

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

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

5. The criminal original petition is ordered accordingly.

sbi

s/d-
Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

To

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

2. The Inspector of Police,
Kunrinji Police Station,
Kurinjiyadi, Cuddalore District.

3. The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.K.A.Ravindran, Advocate SR 528

gr(co)
prk20/1

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