



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2016

CORAM

THE HONOURABLE MR. JUSTICE B.GOKULDAS

Cr1.O.P(MD)No.16721 of 2016

R.Gangaiammal

.. Petitioner

Vs.

1.The Inspector of Police,
Anti Land Grabbing Cell,
Trichy
(in Crime No.18 of 2016)

2.Pavalakodi

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the first respondent thereby forbearing him from interfering with the petitioner's peaceful possession and enjoyment of T.S.No.1013 of Vellithirumutham Village, Srirangam Taluk and T.S.No.104/3 of Jembukeshwaram Village, Srirangam Taluk, under the guise of enquiry in connection with the Crime No.18 of 2016, on the file of the first respondent.

For Petitioner :Mr.P.Ganapathisubramanian
For R1 :Mr.K.Anbarasan
Government Advocate (Cr1.side)

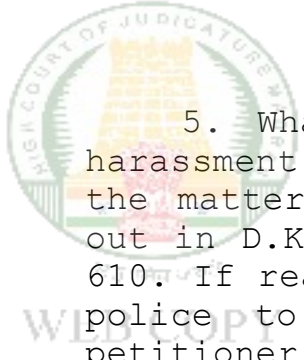
O R D E R

The petition has been filed under Section 482 Cr.P.C, seeking a direction, directing the first respondent thereby forbearing him from interfering with the petitioner's peaceful possession and enjoyment of T.S.No.1013 of Vellithirumutham Village, Srirangam Taluk and T.S.No.104/3 of Jembukeshwaram Village, Srirangam Taluk, under the guise of enquiry in connection with the Crime No.18 of 2016, on the file of the first respondent.

2. Heard learned counsel appearing for petitioner and learned Government Advocate(Cr1.side) appearing for the respondents.

3. According to the learned Government Advocate (Cr1.Side), the petitioner has given a complaint and the same is pending investigation.

<https://hcservices.courts.gov.in/web-services/> the learned counsel for the petitioner submitted that the petition is only not to harass the petitioner.



5. Whatever might be the circumstances, there shall be no harassment to the petitioner, but let the police investigate into the matter in accordance with law and the mandates as found set out in D.K.Basu Vs.State of West Bengal reported in AIR (1997) SC 610. If really, the police want to interrogate, it is open for the police to issue summons to the petitioner. Thereupon, the petitioner shall appear before the police and submit himself for interrogation. The petitioner is also permitted to take the assistance of the Advocate to the limited extent as found envisaged in the precedent cited supra.

Sd/
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar.

To

1.The Inspector of Police,
Anti Land Grabbing Cell,
Trichy.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/S.P.Ganapathi Subramanian, Advocate, SR.No. 50796

Cr1.O.P(MD)No.16721 of 2016
07.09.2016

am
AM/DB/21.09.2016/2P/4C