

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.8 of 2017

Senniappan

... Petitioner

Vs

The State, rep by
The Inspector of Police,
Anti Land Grabbing Special Cell,
Tiruppur District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent police not to harass the petitioner in the course of enquiry on the basis of the complaint by Mr.Raja dated 24.11.2016 in petition No.31 of 2016 on the file of the respondent police.

For Petitioner : Ms.A.Madhumathi

For respondent : Mr.C.Emalias,
Addl. Public Prosecutor
Mr.W.Camyles Gandhi,
for de facto complainant.

ORDER

The present criminal original petition has been filed seeking a direction to the respondent police not to harass the petitioner in the course of enquiry on the basis of the complaint by one Raja dated 24.11.2016 in petition No.31 of 2016.

2. Learned counsel appearing for the petitioner submitted that there is a property dispute between the petitioner and one Raja, pursuant to which, the said Raja lodged a false complaint as against the petitioner. Based on the said complaint, under the guise of enquiry, the respondent police is continuously harassing the petitioner. Hence, the petition.

3. Mr.W.Camyles Gandhi, learned counsel representing the de facto complainant, submitted that there are various other allegations also as against the petitioner, which would clearly establish the offence committed by the petitioner.

4. On the other hand, learned Additional Public Prosecutor submitted that on the basis of the complaint given by the said Raja, the respondent police conducted an enquiry and during the course of enquiry, the petitioner appeared before the respondent police on 28.11.2016 and submitted that the matter is going to be settled amicably between the parties.

5. Considering the facts and circumstances of the case and considering said submissions made by all the parties, to give a quietus to the matter, the petitioner and the de facto complainant shall appear before the respondent police on 9.1.2017 for enquiry and necessary enquiry be completed on that date and there shall not be any undue harassment against any of the parties, since the matter is purely civil in nature. The respondent police is directed to communicate the date of the enquiry to the de facto complainant for his appearance. With the above directions, the criminal original petition is disposed of.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Anti Land Grabbing Special Cell,
Tiruppur District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to M/S.W.Camyles Gandhi, Advocate SR.711

+1cc to M/S.Madhumathi, Advocate Sr.474

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srg 05/01/2017