

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.04.2017

Coram

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.6510 of 2017

K.V.Rathnam

.. Petitioner

Vs.

1.The State rep. by
the Superintendent of Police,
Thiruvallur District,
Thiruvallur.

2.The Inspector of Police
Anti Land Grabbing Special Cell,
District Crime Branch,
Thiruvallur.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C to direct the respondents police not to harass the petitioner in respect of Crime No.11 of 2016 on the file of the second respondent police.

For Petitioner : Mr.K.Balaji

For Respondents : Mr.C.Emalias, APP

ORDER

The present Criminal Original Petition has been filed seeking a direction to the respondents police not to harass the petitioner in respect of Crime No.11 of 2016 pending on the file of the second respondent police.

2. According to the petitioner, in order to harass him, one Kakollu Prasad and two others have lodged a complaint with the second respondent as if the petitioner acted as a middle man for purchase of a property measuring to an extent of 43.25 acres in Kaverirajapuram Village, Thiruvallur District, belonging to them and is having all the original documents relating to the property in question and that, he forged their signature in MOU. The said complaint was registered as FIR in Crime no.11 of 2016 for the alleged offences punishable under Sections 406, 420, 465 and 468 IPC. Pursuant to the same, the second respondent issued summons, directing the petitioner to appear before him along

with all the original documents relating to the property in question. Though the petitioner approached the second respondent and stated that all the documents were filed along with the suit filed for specific performance, which is now pending with the District Court, Thiruvallur, the second respondent repeatedly issued summons and threatened him to produce the original documents. Hence, this petition.

3. Learned Additional Public Prosecutor, on instructions, submitted that there was no harassment caused by the second respondent as alleged by the petitioner. Learned Additional Public Prosecutor further submitted that the petitioner is required to be present along with the necessary documents before the second respondent for the purpose of enquiry.

4. To the above submission, learned counsel for the petitioner submitted that the Memorandum of Understanding said to have been executed between the parties is an unregistered one and the same was filed along with the suit for specific performance, which is now pending with the District Court, Thiruvallur. Learned counsel further submitted that the petitioner is only in possession of xerox copy of the documents and he is ready and willing to produce the same before the second respondent as and when required.

5. The submission made by the learned Additional Public Prosecutor is recorded. Further, in order to give quietus to the issue involved herein, this Court directs the petitioner to appear before the second respondent along with a xerox copy of the MOU and other connected documents relating to the property in question on 17.04.2017 at 10.30 am and on such appearance and upon production of the documents, the second respondent shall conduct enquiry in Crime No.11 of 2016 and proceed further in accordance with law.

6. With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

rk

To

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

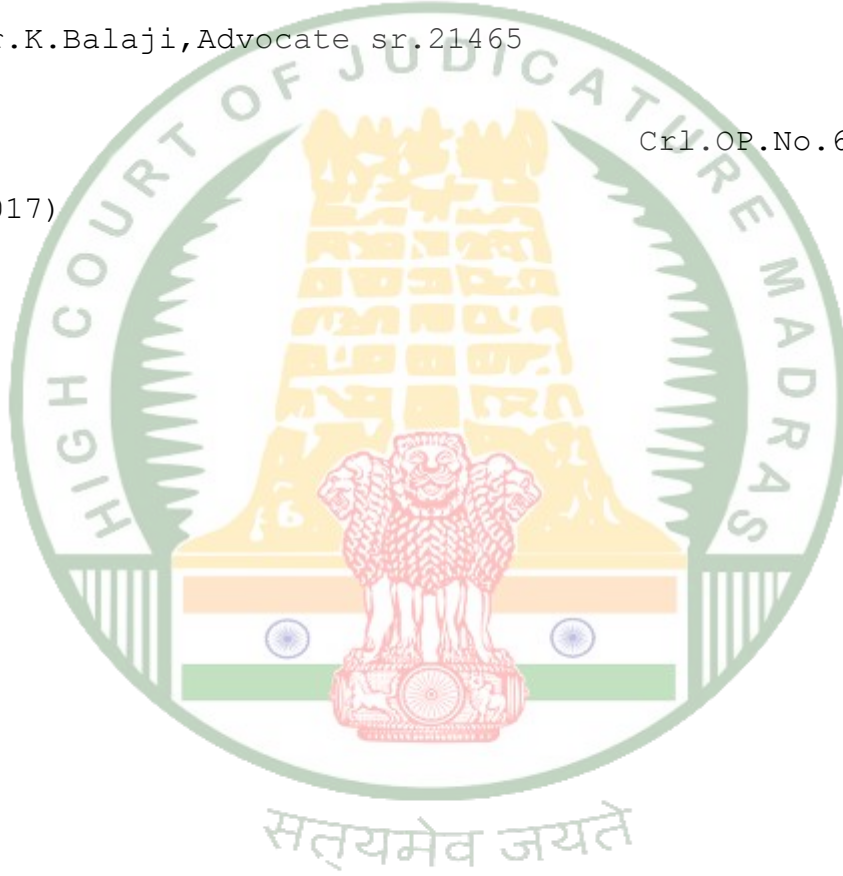
2.The Inspector of Police
Anti Land Grabbing Special Cell,
District Crime Branch,
Thiruvallur.

3.The Public Prosecutor, High Court,
Madras-104.

+lcc to Mr.K.Balaji,Advocate sr.21465

Crl.OP.No.6510 of 2017

nrjk(co)
ss(11/4/2017)



WEB COPY