

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

Crl.OP.No.22206 of 2018

S.Thenmozhi

...Petitioner

Vs.

1.Mr. Ramalingam,
The Assistant Commissioner of Police,
Madhavaram Range, Chennai.

2. The Inspector Of Police,
(Law and Order)
M-1 Madhavarm Police Station ,
Chennai-600110.

3. Mr.Aldin Ramesh,
The Sub-Inspector of Police,
(Law and Order),
M-1 Madhavarm Police Station ,
Chennai-600110.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the second respondent not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.D.Percivul Pericles

For Respondents : Ms.M.Prabhavathi
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondents not to harass the petitioner under the guise of enquiry.

2. The learned counsel for the petitioner has submitted that the petitioner is the owner of the piece of land situated in survey No.491 part , 200 feet Road, Madhavaram Village. He further submitted that one James gave a false complaint before the second respondent claiming that he is the owner of the said

property and based on the said complaint, the second respondent is harassing the petitioner under the guise of enquiry.

3. The learned Additional Public Prosecutor has submitted that only for enquiry purpose, the petitioner was called and he was not subjected to any harassment.

4. Considering the aforesaid submissions, the second respondent is directed to enquire the complaint which is said to have been given by one James and if the said complaint discloses any cognizable offence, he has to register a case and proceed in accordance with law. In case, the enquiry reveals only a civil dispute, he has to direct the said complainant to approach the Civil Court and get appropriate relief. Instead of doing so, he should not unnecessarily harass the petitioner.

5. With the aforesaid observations, this Criminal Original petition is disposed of.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vv/vsn

To

1. Mr. Ramalingam,
The Assistant Commissioner of Police,
Madhavaram Range, Chennai.

2. The Inspector Of Police,
(Law and Order)
M-1 Madhavarm Police Station ,
Chennai-600110.

3. Mr.Aldin Ramesh,
The Sub-Inspector of Police,
(Law and Order),
M-1 Madhavarm Police Station ,
Chennai-600110.

4. The Public Prosecutor,
High Court, Madras.

+1cc to M/S.J.Janarthanan, Advocate Sr.65366

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srg 5/10/2018



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