



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.06.2018
CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

CRL.O.P. (MD) No.9200 of 2018

1.R.Shanmugasundaram
2.Rajammal
3.S.Vimala

: Petitioners

Vs.

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

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

3.Chinnadurai.S

: Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the 2nd respondent herein not to harass the petitioners herein under the guise of enquiry on the basis of the representation lodged to the 1st respondent herein on 04.05.2018.

For Petitioners : Mr.A.Thiruvadi Kumar

For Respondents 1&2 : Mr.K.K.Ramakrishnan

Additional Public Prosecutor

O R D E R

This petition is filed seeking a direction to the second respondent police not to harass the petitioners under the guise of enquiry.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

3. According to the petitioners, originally the first petitioner has executed a settlement deed in favour of the third respondent/defacto complainant vide Document No.4101 dated 02.12.2010 with regard to the property situated in Survey No.771/2 in Meelavittan Village along with RCC concrete house constructed therein in Door No.4/21, New No.3/275 and subsequently the said settlement deed was cancelled by the first petitioner vide Document No.3509 of 2011 dated 04.10.2011. Pursuant to the cancellation, the first petitioner executed a settlement deed in favour of the third



petitioner vide Document No.307/2017 dated 17.02.2017 in respect of the above said property. That being so, the 2nd respondent Police frequently called the petitioners to the Police Station and harassed them under the guise of enquiry based on the complaint given by the third respondent in respect of the civil dispute.

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4. The learned Additional Public Prosecutor submitted that the petitioners were called only for enquiry in respect of a petition pending against them and that the 2nd respondent Police did not cause any harassment to the petitioners. However, he gave an undertaking that if at all the presence of the petitioners is required, the respondent would call the petitioners for enquiry only after issuing summons giving specific date, time and place.

5. Recording the above undertaking given by the learned Additional Public Prosecutor, this Criminal Original Petition is disposed of with a direction that the petitioners shall cooperate for enquiry and during enquiry there shall not be any harassment against the petitioners at the hands of the respondent police.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

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

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

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

+1CC to Mr.A.Thiruvadi Kumar, Advocate, SR.No.67466

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PJL

ES/SKN/RSK/SAR 2/19.06.2018/2P/5C