

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.18597, 18599, 18605 & 18650 of 2019

Mr.B.Karthikeyan

..Petitioner in
All Crl.OPs.

-Vs-

1.The State rep.by
The Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram.

2.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram.

3.The Inspector of Police,
B 3, Kanchi Taluk Police Station,
Kancheepuram.

... Respondents in
Crl.O.P.No.18597 of 2019

1.The State rep.by
The Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram.

2.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram.

3.The Inspector of Police,
B 2, Vishnu Kanchi Police Station,
Kancheepuram.

... Respondents in
Crl.O.P.No.18599 of 2019

1.The State rep.by
The Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram.

2.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram.

3.The Inspector of Police,
B 1, Siva Kanchi Taluk Police Station,
Kancheepuram.

... Respondents in
Crl.O.P.No.18605 of 2019

1.The Deputy Superintendent of Police,
EOW II, Kancheepuram No.10, Ellappa Nagar
1st Street, Near Collectorate office
Big Kancheepuram.

2.The Inspector of Police,
EOW, Thayyar Kulam,
Kancheepuram.

... Respondents in
Crl.O.P.No.18650 of 2019

Common Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondent not to harass, threaten or intimidate the petitioner and his family members in the colour of investigation or enquiry without resorting to any procedure established by law and thereby ensure their right to life and personal liberty as guarantee under Article 21 of Constitution of India.

For Petitioner : Mr.Prakash Adiapadam
(in all Crl.OPs)

For Respondents : Mr.C.Raghavan,
(in all Crl.OPs) Government Advocate

COMMON ORDER

These Criminal Original Petitions have been filed for a direction to the respondent Police not to harass the petitioner and his family members in the name of enquiry.

2.The learned counsel for the petitioner submitted that there was a landlord tenant dispute between the petitioner and his landlord and the petitioner had already approached the Court seeking for Police Protection and this Court by an order dated 12.07.2019 made in Crl.O.P.No.18439 of 2019, had issued direction to the respondent Police as follows:

"5.Taking into consideration, the facts and circumstances of the case, this Court does not want to go into the landlord tenant dispute in this petition and it is left open to the

petitioner to workout his remedy in this regard before the Competent Civil Court. There shall be a direction to the 4th respondent to proceed further with the investigation in Crime No.175 of 2019, by taking into account all the subsequent events that have happened in this case and take action against the accused persons in accordance with law. The 4th respondent shall ensure that there is no threat exerted on the petitioner or his family members by any of the counter parties."

3.The learned counsel for the petitioner further submitted that inspite of the Orders passed by this Court, the petitioner is being harassed by the respondent Police concerned in each of the petitions in the name of enquiry.

4.The learned Government Advocate on instructions submitted that there are various complaints given against the petitioner from the depositors from whom the petitioner has received money while running a chit transaction and real estate on the ground that the petitioner has not repaid the money. The learned Government Advocate therefore submitted that the respondent Police will have to conduct the preliminary enquiry before proceeding with the complaint and therefore the petitioner has to co-operate for the enquiry.

5.In reply to the submission, the learned counsel for the petitioner submitted that the petitioner will co-operate for the enquiry by the respondent Police insofar as those complaints are concerned.

6.In view of the above, no further orders are required to be passed by this Court in these petitions except to direct the petitioner to co-operate for the enquiry conducted by the respondent Police. If the respondent Police finds that the complaints made against the petitioner makes out a cognizable offence, it is left open to them to proceed further in accordance with law.

All these Criminal Original Petitions are disposed of accordingly.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

KP

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram.
 - 2.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram.
 - 3.The Inspector of Police,
B 3, Kanchi Taluk Police Station,
Kancheepuram.
 - 4.The Inspector of Police,
B 2, Vishnu Kanchi Taluk Police Station,
Kancheepuram.
 - 5.The Inspector of Police,
B 1, Siva Kanchi Police Station,
Kancheepuram.
 - 6.The Inspector of Police,
EOW, Thayyar Kulam,
Kancheepuram.
 - 7.The Deputy Superintendent of Police,
EOW II, Kancheepuram No.10, Ellappa Nagar
1st Street, Near Collectorate office
Big Kancheepuram.
 8. The Public Prosecutor,
High Court of Madras.
- +1 CC to Mr. Prakash Adiapadam, Advocate sr 64905.

Cr1.O.P.Nos.18597,18599, 18605 & 18650/2019

BR(CO)
SP(04/09/2019)

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