

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2020

CORAM

THE HONOURABLE MR. JUSTICE T. RAVINDRAN

CrI.O.P.No. 17315 of 2020

V. Chandirasekar

S/o. Venkatesan

... Petitioner

Vs.

1. The Superintendent of Police
Land Grabbing Special Cell
Kancheepuram District
Kancheepuram

2. The Deputy Superintendent of Police
Land Grabbing Special Cell
Kancheepuram District
Kancheepuram

3. The Sub Inspector of Police
Land Grabbing Special Cell
Kancheepuram District
Kancheepuram

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the first respondent police not to harass the petitioner anymore and in connection with C.No.K2/937/11732/2019 & C. No.143/DSP/ALGSC/KPM/2017 pending investigation on the file of the 1st respondent police.

For Petitioner : Mr. R.Gnanasekaran

For Respondents: Ms. M. Prabhavathi

Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been laid by the petitioner for a direction to the first respondent police not to harass him in connection with the summons sent vide C.No.K2/937/11732/2019 & C. No.143/DSP/ALGSC/KPM/2017 pending investigation.

2. Taking notice on behalf of the respondent police, it is represented by the Additional Public Prosecutor that the petitioner is summoned to appear for enquiry in the abovesaid complaint lodged by M.B. Ramesh Selvam S/o. Balaraman and accordingly further contended that the petitioner is to comply with the abovesaid direction and put forth his case as per law and, therefore, disputed that the petitioner is being harassed

by the respondent police by sending summons in connection with the abovesaid complaint.

3. Taking into consideration the facts and circumstances of the case, when the respondent police has issued summons to the petitioner in connection with the complaint given by M.B,. Ramesh Selvam S/o. Balaram, it is the duty of the petitioner to comply with the said direction and appear before the respondent police and put forth his case so as to enable the police to conclude the enquiry one way or the other. On mere issuance of the summons by the respondent police, it cannot be held or construed that the respondent police is harassing the petitioner without any basis or foundation. If according to the petitioner, he is no way connected with the crime levelled by the defacto complaint, it is his duty to put forth his case to the respondent police by appearing in person in compliance with the summons issued by them.

4. In the light of the abovesaid factors, the contention of the petitioner that no summons should at all be issued to him by the respondent police in connection with the complaint lodged by the defacto complainant, as such, cannot be countenanced.

5. During the course of hearing, the petitioner counsel also agreed that the petitioner is ready to appear before the respondent police on any day fixed by this Court so as to conclude the enquiry one way or the other.

6. Taking into consideration of the abovesaid factors in toto, the petitioner is directed to appear before the respondent police on 11.12.2020 for concluding the enquiry and the respondent police is also directed to conclude the enquiry expeditiously.

7. With the abovesaid observations, the Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

bga

To

1. The Superintendent of Police
Land Grabbing Special Cell
Kancheepuram District
Kancheepuram

2. The Deputy Superintendent of Police
Land Grabbing Special Cell
Kancheepuram District
Kancheepuram

3. The Sub Inspector of Police
Land Grabbing Special Cell
Kancheepuram District
Kancheepuram

4. The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.R.Gnanasekaran , Advocate SR.No. 37870
Crl.O.P.No.17315 of 2020

A.SK(04/12/2020)



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