



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2020

CORAM:

THE HONOURABLE **MR. JUSTICE A.D. JAGADISH CHANDIRA**
Crl.O.P. (MD) No.19356 of 2019

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R.Rajathi : Petitioner

Vs.

1.The Director General of Police,
Office of the Director General of Police,
Mylapore, Chennai-600 006.2.The Superintendent of Police,
Office of the Superintendent of Police,
Alangulam Road, Madurai.3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Peraiyur Circle, Madurai.4.The Inspector of Police,
Office of the Inspector of Police,
Peraiyur Circle, Madurai.

5.M.Baluchamy

6.Vijayrani : Respondents

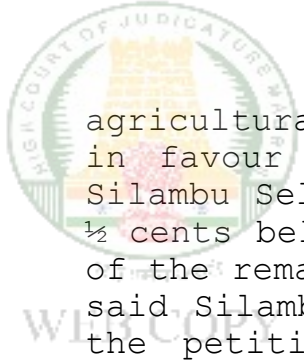
PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents 1 to 4 herein to direct the respondents 5 and 6 not to harass the petitioner and her family members under the guise of enquiry and except in accordance with law by considering the petitioner's representation dated 09.12.2019.

For Petitioner	: Mr.P.Mahendran
For R1 to R4	: Mr.S.Chandrasekar, Additional Public Prosecutor.
For R6	: Mr.J.Selvam
For R5	: Mrs.S.Prabha

ORDER

This criminal original petition has been filed to direct the respondents 5 and 6 not to harass the petitioner and her family members under the guise of enquiry and except in accordance with law by considering the petitioner's representation dated 09.12.2019.

2.It is the case of the petitioner that she is the owner of the landed property in S.No.117/3A and 117/3B to the extent of 77 ½ cents situated at Kudissery village and the said lands are punjai



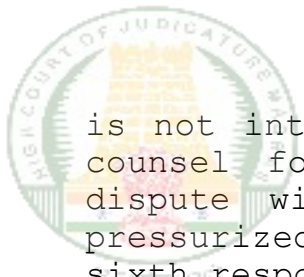
agricultural lands. On 25.01.2004, the petitioner has sold 15 cents in favour of one Vijayarani and sold 15 cents in favour of one Silambu Selvi, vide document No.1024/2004 out of total extent of 77 ½ cents belonging to her and she is in the enjoyment and possession of the remaining 47 ½ cents along with bore well. Subsequently, the said Silambu Selvi has sold her 15 cents, which was purchased from the petitioner, in favour of the said Vijayarani vide document no.385/2005 and by virtue of the same, the sixth respondent has become absolute owner of 30 cents of the land.

3.The learned counsel would submit that the fifth respondent, who is the husband of the sixth respondent, works in the police department as Special Sub Inspector in Sedapatti Police Station, made serious attempt to encroach and grab the property belonging to the petitioner. In order to harass the petitioner and to grab the property by threat, the fifth respondent has given a complaint before the third respondent during September 2019. Based on which, an enquiry was conducted and the petitioner produced necessary and relevant documents before the third respondent. Even thereafter, the fifth and sixth respondents have been continuously harassing the petitioner in order to grab the properties. Since the fifth and sixth respondents continuously threatened the petitioner, the petitioner had sent a representation dated 09.12.2019 to the official respondents herein to protect her and her family. However, no action has been taken by the official respondents and hence, the petitioner filed this petition seeking the aforesaid relief.

4.The learned counsel for the petitioner would submit that the third respondent, who is the Deputy Superintendent of Police conducted enquiry and pressurized the petitioner to hand over the property in favour of the fifth and sixth respondents. Though the respondent police have to protect the petitioner, the respondent police illegally helped the fifth respondent, who is working in the fourth respondent police station and being in hand in glove with the fifth respondent, pressurized the petitioner to settle the property in favour of the fifth and sixth respondents. He would submit that on 22.01.2020, the fourth respondent in the guise of enquiry abused the petitioner and she was forced to transfer the property in favour of the sixth respondent.

5.When the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that the fourth respondent is present before this Court. He would submit that the fourth respondent denies the allegations made against her. He would further submit that the respondent police have conducted enquiry in a fair manner and that the petitioner was directed to go for surveying the lands and that she has refused to agree for the same and thereby, the parties were directed to approach the concerned civil Court and the enquiry has been closed. He would submit that the respondent have at no point of time harassed the petitioner.

6.The sixth respondent has filed an affidavit stating that she



is not interfering with the right of the petitioner. The learned counsel for the sixth respondent would submit that there is a dispute with regard to the boundary. However, they have not pressurized the petitioner to settle the property in favour of the sixth respondent.

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7. Now that the enquiry has been closed, it is made clear that the petitioner shall not be harassed in any manner. Accordingly, this criminal original petition stands closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Director General of Police,
Office of the Director General of Police,
Mylapore, Chennai-600 006.
2. The Superintendent of Police,
Office of the Superintendent of Police,
Alangulam Road, Madurai.
3. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Peraiyur Circle, Madurai.
4. The Inspector of Police,
Office of the Inspector of Police,
Peraiyur Circle, Madurai.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.MAHENDRAN, Advocate (SR-7007[F] dated 19/02/2020)

Cr1.O.P. (MD) No.19356 of 2019
18.02.2020

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