



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.12154 of 2021

S.Prabhu

... Petitioner

Versus

State Rep.by
The Inspector of Police
E-3, Police Station
Teynampet
Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to not to harass the petitioner.

For Petitioner	:	Mr.A.Manojkumar
For Respondent	:	Mr.E.Raj Thilak Counsel for Government of Tamil Nadu (Crl.Side)

O R D E R

This petition has been filed seeking a direction, to direct the respondent to not to harass the petitioner.

2. The grievance of the petitioner is that the petitioner had lodged a complaint on 27.06.2021, which was assigned with CSR.No.297 of 2021 against the counter complainant namely, Sadhana, who attempted to trespass into the petitioner's property. A civil suit in OS.No.3310 of 2021 is pending before the XIV Assistant City Civil Court, Chennai regarding the disputed property. The private notice was ordered in the said suit, which was served on her on 29.04.2021. Despite the summon, she did not contest the case, but tried to encroach upon the petitioner's property. The respondent Police without addressing the grievance of the petitioner, on the contrary, has acted in support of Sadhana. Hence, he filed this petition.



3. The learned Counsel for the Government of Tamil Nadu (Crl.Side) submitted that the said Sadhana is none other than the petitioner's cousin brother's wife and she is also having right over the property, which has not been given to her. Taking advantage of the fact that the said Sadhana is a widow lady, she was thrown out of the property. The grievances of the said Sadhana is that if there is any closure report, the same has to be sent to her.

4. He further submitted that on the complaint of the petitioner, CSR.No.297 of 2021 was assigned. Thereafter, enquiry was conducted and closed on 09.07.2021 and hence, nothing survives in the said CSR. Therefore, both the parties are directed to approach the Civil Court to seek their grievances. He further submitted that the respondent Police will not call the petitioner for any enquiry. Hence, harassment does not arise.

5. The learned counsel for the petitioner submitted that the said closure report was served on him.

6. In view of the above, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

dna

To

1. The Inspector of Police
E-3, Police Station
Teynampet
Chennai.
2. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.12154 of 2021

SR-II(CO)
RLP(09/08/2021)