



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.12401 of 2021

Siva Damodaran

...Petitioner

Vs.

The Inspector of Police,
Thirukalukundram Police Station,
Kancheepuram District.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent not to harass the petitioner without any due process of law.

For Petitioner : Mr.V.Parthiban

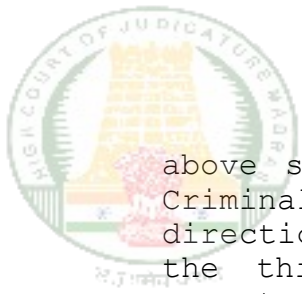
For Respondent : Mr.A.Damodaran
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition is filed to direct the respondent not to harass the petitioner without any due process of law.

2.The contention of the petitioner is that the petitioner earlier lodged a complaint stating that the petitioner is running a Mutt in the name of Sree Sree Sree Siva Dhamodara Swamigal Mutt and the above mutt is owing around 40 acres of land and out of the income derived from the above said land the mutt is carrying on with religious and spiritual works. One Saran Singh @ Saravanan is the erstwhile Manager of the above said Mutt, who committed misappropriation on the funds of the mutt and some of the properties purchased by the mutt were registered in his name as personal property, hence a complaint was lodged on 13.01.2021 by one Lakshmanan, Senior Manager of the Mutt and FIR in Crime No.16 of 2021 came to be registered against three persons, since the said Saran Singh @ Saravanan was a influential person, his name was not included.

3.The petitioner further contended that thereafter, the



above said Lakshmanan, Senior Manager of the mutt had filed a Criminal Original Petition in CrI.O.P.No.2366 of 2021 seeking direction to transfer the investigation pending on the file of the third respondent in Crime No.16 of 2021 to any other competent agency for the purpose of investigating the same. This Court by an order dated 10.02.2021 directed the Additional Superintendent of Police/Deputy Superintendent of Police to monitor the investigation of the respondent.

4.The said Lakshmanan had sent a representation dated 18.02.2021 to the Superintendent of Police, Kancheepuram, so far no action taken. As a counter blast, one Sumathy sister of the above said Saran Singh @ Saravanan had given a false complaint before the respondent police by stating that the petitioner has received a sum of Rs.4,00,000/- for securing job for his husband. The respondent police asked the petitioner to appear on 12.07.2021, to answer the said complaint by issuing notice under Section 41(A) of Cr.P.C. on 10.07.2021. On the receipt of the same, the petitioner appeared before the respondent police, gave his explanation and now he is constantly harassed by the respondent police. The respondent police has to look into the fact that the above said Sumathy is though not a named accused in Cr.No.16 of 2021, her involvement in the case and her over tacts are specifically mentioned. Hence as a counter blast the above complaint given. The said Sumathy had given a complaint before the respondent police and the respondent police with whom Crime No.16 of 2020 is pending investigation without going into the same is harassing the petitioner and the petitioner is unable to carry out his religious spiritual and other works.

5.The learned Government Advocate (CrI. Side) appearing for the respondent police submitted that in this case based on complaint of the Sumathy, the petitioner was called for enquiry on 12.07.2021. On that day, he appeared and thereafter he gave an undertaking. Thereafter now filed the above petition. On instruction submits that the petitioner is no more required for enquiry in this case.

6.Recording the submission of the learned Government Advocate (CrI.Side), this Criminal Original Petition stands closed.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Thirukalukundram Police Station,
Kancheepuram District.

2. The Public Prosecutor,
High Court,
Madras.

+1cc to Mr.V.Parthiban, Advocate, S.R.No.39922

Crl.O.P.No.12401 of 2021

GPL(CO)
RGA(01/09/2021)