



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.12610 OF 2021

1.S.Venkatesan
2.V.Anandakumar

... Petitioners

Versus

1. The Superintendent of Police,
Vellore,
Vellore District.

2. Inspector of Police,
Gudiyatham Town Police Station,
Gudiyatham-632 602,
Vellore District

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent not to harass the petitioners.

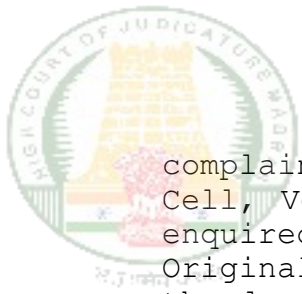
For Petitioners : Mr.M.R.Thangavel

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

ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent not to harass the petitioners.

2.The learned counsel for the petitioners submitted that the petitioner was being harassed by the 2nd respondent Police under the guise of enquiry and making them to stand in the Police Station from morning to evening and not allowing them to carry on their routine work. He further submitted that during enquiry, one Mohiliyal, who lodged the complaint against the petitioners did not cooperate for enquiry and the 2nd respondent Police is making the petitioners to wait in the station on whole day. Even the petitioners were not served with summons and they were forced to attend the enquiry. Earlier, the petitioner had given



complaints before the Inspector of Police, Anti Land Grabbing Cell, Vellore on 22.10.2020 and on 13.02.2021 and the same were enquired and closed. Thereafter, the petitioners have filed the Original Petition in O.P.No.58 of 2021, which is pending before the learned Principal District Judge, Vellore. Further, in the suit for recovery of money in O.S.No.93 of 2020 filed by one Ravi, the said Mohiliyal is set exparte. The 2nd respondent Police knowing all these facts is unnecessarily harassing the petitioners.

3.The learned Government Advocate (Crl. Side) appearing on behalf of the respondents submitted that one Mohiliyal was given a complaint against the petitioners. Based on which, the petitioners were called for enquiry by the 2nd respondent Police. He further submitted that without appearing before the 2nd respondent Police for enquiry, they have filed the above petition.

4.Considering the rival submissions and on perusal of the materials, it is seen that the petitioners were enquired on the complaints of Mohiliyal in ALGSC/SP/C.No.187 of 2020 and ALGSC/SP/C.No.5 of 2021 and further, civil disputes are pending between the petitioners and the said Mohiliyal.

5.In view of the pendency of the civil disputes, the 2nd respondent is directed not to harass the petitioners unnecessarily. If any enquiry, appropriate notice to be served by the 2nd respondent to the petitioners fixing date and time, each persons time is precious and it cannot be wasted for unnecessary purpose, which is another form of harassment.

6.With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Vellore,
Vellore District.



2. The Inspector of Police,
Gudiyatham Town Police Station,
Gudiyatham,
Vellore District-632 602.

WEB COPY

3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.12610 of 2021

PMK (CO)
CS/19/08/2021