



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.14322 of 2021

1.L.S.Chandrika
2.S.A.Joe Oliver Benet
3.Chellammal

... Petitioners/Accuseds

Vs.

1. State Rep.by
The Inspector of Police,
Mappedu Police Station,
Tiruvallur District.

... Respondents/Respondents

2. G.A.Simon Raj ... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondent police not to harass the petitioner in Crime No.unknown of 2021 based on the foisted complaint lodged by the Defacto Complainant on the file of the Respondent Police Station, without adhering to the mandatory provisions of law.

For Petitioner : Mr.L.Prakash Raj

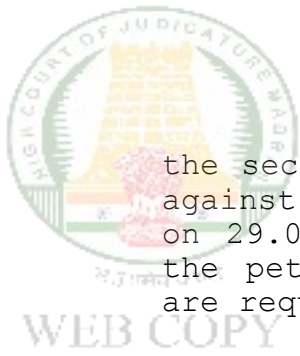
For Respondent : Mr.A.Damodaran,
No.1 Government Advocate (Crl. Side)

ORDER

The petitioners have filed this criminal original petition seeking a direction to the first respondent police not to harass the petitioners.

2.The contention of the learned counsel for the petitioners is that there are two civil suits pending before the District Munsif Court, Thiruvallur, between the petitioners and the defacto -complainant. The second petitioner has lodged a complaint against the second respondent defacto complainant to the first respondent police and CSR.No.267 of 2021 has also been assigned. Thereafter, the defacto- complainant has also lodged a complaint against the petitioners. Hence, it is purely civil in nature.

3.The learned Government Advocate (Crl.side) submits that



the second respondent defacto complainant has lodged a complaint against the petitioners, which is assigned in CSR No.457 of 2020 on 29.07.2021. In connection with the dispute pending between the petitioners and the defacto - complainant, the petitioners are required for enquiry.

4. In view of the abovesaid submission, this court finds that there is a complaint lodged by the petitioners against the defacto complainant and a counter complaint has also been lodged by the defacto complainant against the petitioners. Therefore, this Court is not inclined to entertain the petition and the petitioners are directed to appear before the first respondent police with necessary materials on 21.08.2021 substantiating their complaint and the first respondent police is directed to enquire and proceed in accordance with law.

5. With the abovesaid direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CO-III)

//True Copy//

Sub Assistant Registrar

sms

To

1. State Rep.by
The Inspector of Police,
Mappedu Police Station,
Tiruvallur District.
2. The Government Advocate (Crl.side),
High Court, Madras.

CRL.O.P.No.14322 of 2021

RR(CO)
CT(19/08/2021)