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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.14877 of 2021

1. Mrs.Mahalakshmi
W/o. Eshwaran

2. T.Eshwaran,
S/o. Thimmarayappa

... Petitioners

Versus

1. The State
represented by Deputy Superintendent
of Police,
Land Grabbing Wing,
Office of Superintendent of Police,
Krishnagiri District.

2. Mr.Thirugnanam,
Sub-Inspector of Police,
Land Grabbing Wing,
Office of the Superintendent of Police,
Krishnagiri Dt.

3. Sankarappa
S/o. Madhanagiriappa

4. Ganesh,
S/o. Sankarappa

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Respondents to not to harass the petitioners and their family in the name of any enquiry in pursuant to the Summons in Ref.C.No.242/H2/SP.Gri/ ALGSC/KGI/2021, dated 05.07.2021 on the file of the 1st respondent.

For Petitioners : Mr.T.Elumalai

For 1st Respondent : Mr. A. Damodaran
Government Advocate(Crl. Side)



ORDER

(This case has been heard through video conference)

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The 2nd petitioner, who had received summons from the 1st respondent called for enquiry on the complaint given by Ganesan, has filed this Criminal Original Petition seeking not to harass.

2. The dispute between the petitioners and the said Ganesan are civil in nature and there are documents in support of the contention of the petitioner. Having failed to get any civil court order in their favour, had taken short-cut method by filing the above complaint. The 1st petitioner is a lady and the 2nd petitioner is husband of 1st petitioner, who have been unnecessarily harassed by the 1st respondent at the instance of 3rd and 4th respondents.

3. The learned Government Advocate (Criminal Side) appearing for 1st respondent would submit that on the complaint given by 4th respondent, the petitioners needed for enquiry, summons have been issued to them to appear and offer their explanation along with documents, which cannot be termed as harassment, which only to aid the enquiry.

4. Considering the submissions and on perusal of materials, it is seen that the petitioners are needed for enquiry on the summons issued by the 1st respondent. The petitioners shall appear before the 1st respondent police on 31.08.2021 and also on the future hearing dates along with documents.

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

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

rpp/rgi

To

1. The Deputy Superintendent
of Police,
Land Grabbing Wing,
Office of Superintendent of Police,
Krishnagiri District.



2. The Public Prosecutor,
High Court, Madras.

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NRL (CO)
CB (06/09/2021)