



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.24171 of 2021

1.Venkatasan
2.Srirangam
3.Radha
4.Kuppu
5.Kannagi
6.Perumal
7.Srinivasan

... Petitioners

Versus

1. The Inspector of Police,
Anti Land Grabbing Special Cell Police Station,
Chengelpet District.

2.The Superintendent of Police,
The office of the Superintendent of Police,
Chengelpet District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 1st respondent police not to harass the petitioner.

For Petitioners : Mr.B.Devakumar

For Respondents : Mr.E. Raj Thilak
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the 1st respondent police not to harass the petitioner.

2. The grievance of the petitioner is that on the guise of the complaint given by one Rajasingam the petitioners had been unnecessarily called at odd hours causing harassment.

3. The learned Additional Public Prosecutor submitted that one Rajasingam, who is presently in Malaysia lodged a complaint to the Superintendent of Police which has been forwarded to the respondent Police in Cr.No.92 of 2021. On receipt of the same, summons were issued to the petitioners. The petitioners appeared on 18.10.2021 and submitted that they would produce their documents to prove the contents in the complaint



of Rajasingam as false and they hold genuine documents and claiming right over the property and no forged document has been created. On the contrary, they failed to appear on 03.12.2021 and now a petition has been filed on 07.12.2021, terming the enquiry as an harassment.

4. Considering the rival submissions and on perusal of the materials, it is seen that, using the name of the petitioners father's as well as the name of Rajasingam's father, Vedachalam, which are identical taking advantage of same, forged documents created. Hence the petitioners are needed for enquiry. Therefore the respondent Police are directed to issue notice under Section 41-A for appearance, if a situation arises, in the event of non compliance, the police shall proceed by taking appropriate action. In any event, if the Police finds that 41-A notice is not necessary, they can follow Section 41 procedure and proceed against the petitioners.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

dna/mdl

To

1. The Inspector of Police,
Anti Land Grabbing Special Cell Police Station,
Chengelpet District.
2. The Superintendent of Police,
The office of the Superintendent of Police,
Chengelpet District.
3. The Public Prosecutor
High Court, Madras.

+1cc to Mr.B.Devakumar, Advocate, S.R.No.67302

Crl.O.P.No.24171 of 2021

GSM(CO)
CT 04/01/2022