



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.2273 of 2022

1.Baskar
2.Narasimman

... Petitioners

Versus

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

2.The Deputy Superintendent of Police,
Uthukottai Range,
Uthukottai, Tiruvallur District.

3.The Inspector of Police,
Uthukottai Circle,
Uthukottai Taluk,
Thiruvallur District.

4.The Sub Inspector of Police,
Peravallurpettai Police Station,
Uthukottai Taluk,
Thiruvallur District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, to direct the 4th respondent herein not to harass the petitioner in any manner except due process of law pursuant to the representation dated 12.01.2022 given to the respondents herein.

For Petitioners : Mr.T.Muruganantham

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

ORDER

This petition has been filed to direct the 4th respondent herein not to harass the petitioner in any manner except due process of law pursuant to the representation dated 12.01.2022 given to the respondents herein.



2. It is the contention of the petitioners that they are brothers and carpenter by profession. They have a dispute with their cousin brothers viz., Ramamoorthy, Neelakandan and Dhomodaran for enjoyment of an ancestral property in Poondavakkam Village. A Civil Suit has been filed by the said Neelakandan and others in O.S.No.61 of 2014 before the District Munsif Court, Uthukottai. The suit was dismissed for non prosecution on 14.09.2021. Thereafter, the said Neelakandan had not taken any steps to restore the case on file. However, they engaged rowdy elements and threatened the petitioners with dire consequences if the petitioners did not vacate the premises. Now, the said Neelakandan influencing the Sub-Inspector of Police, viz., Srinivasan and Shankar and threatening the petitioners and forcing them to vacate the property. The petitioners are threatened by the Sub-Inspector of Police stating that they would foist a case and arrest them, and publish their photos in all leading newspaper and TV channels and spoil their image and in future they will not be in a position to carry on their profession. Thus, the Sub-Inspector of Police, one Srinivasan and Shankar continuously threatening the petitioners. Hence, they sent a representation to the Superintendent of Police, Tiruvallur, but no action has been taken.

3. The learned Additional Public Prosecutor submits that it is a dispute between the petitioners and their cousin brothers regarding enjoyment of ancestral property. The petitioners are unnecessarily involving the name of two Sub-Inspector of Police, namely, one Srinivasan and Shankar, who are honest and sincere officers attached to the Police Station. They never were involved in any civil dispute, but they made false allegation against them. Their past records would reveal that they are honest and sincere police officers.

4. Considering the submissions of the learned Additional Public Prosecutor that the Sub-Inspector of Police namely, Srinivasan and Shankar are honest and sincere officers, this Court does not want to pass any orders against them. However, if there is any violation in future, the petitioners are at liberty to file a petition before this Court ventilating their grievance.

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

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar



dna

To

- 1.The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
- 2.The Deputy Superintendent of Police,
Uthukottai Range,
Uthukottai, Thiruvallur District.
- 3.The Inspector of Police,
Uthukottai Circle,
Uthukottai Taluk,
Thiruvallur District.
- 4.The Sub Inspector of Police,
Peravallurpettai Police Station,
Uthukottai Taluk,
Thiruvallur District.
- 5.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.2273 of 2022

AD(CO)
SB(15/02/2022)