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CrI.O.P.No.25964 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CrI.O.P.No.25964 of 2022

1. R. Tata Birla
2. Mubarak
3. Thamarai

... Petitioners

Vs.

The State represented by its
Inspector of Police,
B4, Sevvapettai Police Station,
Thiruvallur District

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent police not to harass the petitioners in the guise of enquiry on the false complaint lodged by one Moorthy, son of Solai against the petitioners.

For Petitioners	: Mr.K. Balakrishnan
For Respondents	: Mr.S.Santhosh, Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed to direct the respondent police not to harass the petitioners in the guise of enquiry on the



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false complaint lodged by one Moorthy, son of Solai against the petitioners.

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2. The learned counsel appearing for the petitioners submitted that based on a complaint given by the defacto complainant, the respondent police is harassing the petitioners in the guise of enquiry.

3. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioners are doing real estate business and on account of a dispute arose between the petitioners and defacto complainant one Murthy with regard to money transaction, he gave a complaint against the petitioners and a case has been recieved in CSR.No.941 of 2022 and now it is under enquiry.

4. Recording the above said submission of the learned Govt. Advocate (crl.side), the respondent police is directed to conduct enquiry upon the complaint given by the defacto complainant in accordance with law without harassing the petitioners by following the principles laid down by the Hon'ble Apex Court in the cases of **D.K.Basu vs. State of West Bengal** [AIR (1997) SC 610]; **Lalithakumari vs. State of U.P** [AIR 2014 SC 187] and **Arneshkumar vs. State of Bihar and another** [2015-1-L.W. (Crl.) 318] with regard to handling of complaint and registration of FIR and complete the same within a period of four weeks from the date of receipt of a



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copy of this order.

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

27.10.2022

Internet: Yes/No

Index: Yes/No

msr

To

1. Inspector of Police,
B4, Sevvapettai Police Station,
Thiruvallur District
2. The Public Prosecutor,
High Court of Madras.

V.SIVAGNANAM,J.

msr



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