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CRL.O.P.NO.28615 OF 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

CORAM:

THE HON'BLE MS.JUSTICE R.N.MANJULA

CRL.O.P.No.28615 of 2022

T.D.Mary

... Petitioner

Versus

1. The Inspector of Police
Thudiyalur Police Station,
Coimbatore District.

2. Martin

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondent not to harass the petitioners pertaining to possession and enjoyment of the portion in the occupation of the petitioner in respect to the building bearing Door No.3/29, St. Joseph Nagar, Goundampalayam, Coimbatore -641 030, and also in relation to any monetary transactions between the petitioner and the second respondent, at the instance of the second respondent herein or any other person in his name or on his behalf or by any one and to grant such further or other orders.

For Petitioner	:	Ms.Elizabeth Ravi
For Respondent-1	:	Mr.S.Santhosh
		Government Advocate (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed by the petitioner to direct the first respondent not to harass her in connection with her occupation and enjoyment of the portion of the building bearing Door No.3/29, St.Joseph Nagar, Goundampalayam, Coimbatore -641 030 and also in relation to any monetary transactions between the petitioner and the second respondent, at the instance of the second respondent herein or any other person in his name or on his behalf or by any one.

2.Heard the submissions made by the learned counsel on either side and perused the materials available on record.

3.The learned counsel for the petitioner submitted that the petitioner had given a complaint against the second respondent by stating that he had forged certain documents in respect of the subject property and started to disturb her possession over the same; despite the complaint, the first respondent police is harassing her by giving pressure that she should vacate the property.

4.The learned Government Advocate (Criminal Side) for the



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respondent police submitted that the second respondent has given a complaint against the petitioner, for which petition enquiry is pending before the respondent police.

5. In that case, the first respondent has to assign appropriate CSR or Current paper to the complaint given by the second respondent and dispose off the same within a period three weeks. The first respondent is directed to issue appropriate written summons to the petitioner , while calling the petitioner for enquiry. However, if the matter appears to be civil in nature, the first respondent shall follow the guidelines laid down by the Hon'ble Supreme Court in the case of ***Lalita Kumari Vs. Govt. of U.P. & Ors*** while conducting the enquiry.

With the above observation, this Criminal Original Petition is **disposed of.**

23.11.2022

Index: Yes/No
Internet: Yes/No
Speaking / Non-Speaking
jrs



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R.N.MANJULA, J.

jrs

To

- 1.The Inspector of Police
Thudiyalur Police Station,
Coimbatore District.
- 2.The Public Prosecutor,
High Court of Madras.

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