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Crl.O.P.No.29507 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2022

CORAM:

THE HON'BLE Ms.JUSTICE **R.N.MANJULA**

Crl.O.P.No.29507 of 2022

1. Dhanammal
2. Velumani
3. Nagaraj

... Petitioners

Vs.

- 1.The Commissioner of Police,
Tiruppur.
- 2.The Assistant Commissioner of Police,
DCB, Tiruppur.
- 3.The Inspector of Police,
District Crime Branch,
Tiruppur.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents police not to harass the petitioner and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For Petitioners : Mr.S.Kumaresan

For Respondents : Mr.S.Santhosh,
Govt. Advocate (Crl.Side) for R1-R3



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ORDER

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This Criminal Original Petition has been filed to direct the respondents police not to harass the petitioner.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents 1 to 3.

3. The learned counsel for the petitioner submitted that the first petitioner was the power of attorney for one Mohan, who had given power to her to sell his properties. Pursuant to that, she sold the property to the third petitioner. However, it was cancelled subsequently. Thereafter, the first petitioner had executed sale deeds in favour of second petitioner and others. Subsequently, the said Mohan challenged those transactions by way of filing civil suits in O.S.Nos.108 & 109 of 2015 on the file of the Principal District Munsif Court, Tiruppur and the said suits were dismissed on 11.08.2021 and 02.09.2021 respectively. Having failed in the civil suits, the said Mohan had given a false complaint against the petitioners; and on the basis of his complaint, the first respondent police is harassing the petitioners under the guise of enquiry. Hence, the petitioners are before this Court.



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4. The learned Government Advocate (Crl.Side) appearing for the respondents submitted that on the complaint given by one Mohan, current paper enquiry has been initiated in C.No.COP/TPR-City/PGP No.11133/2022 and the same is pending for enquiry.

5. Under these circumstances, the respondents police are directed to conduct an enquiry and complete the same in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is needless to say that while conducting enquiry, the first respondent shall adhere to the guidelines laid down by the Hon'ble Supreme Court in the case of *Lalita Kumar Vs State of Uttar Pradesh & another reported in 2014 (2) SCC 1*.

6. With the above observations, this Criminal Original Petition is disposed of.

01.12.2022

Index: Yes/No

Speaking / Non Speaking Order
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R.N.MANJULA, J.

kmi

To

- 1.The Commissioner of Police,
Tiruppur.
- 2.The Assistant Commissioner of Police,
DCB, Tiruppur.
- 3.The Inspector of Police,
District Crime Branch,
Tiruppur.
- 4.The Public Prosecutor,
High Court, Madras.

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