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Crl.O.P No.31092 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2022

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.31092 of 2022

R.C.Gokulakrishnan

... Petitioner

Vs.

1.The Superintendent of Police
Krishnagiri
Krishnagiri District-600 001.

2.The Deputy Superintendent of Police
Denkanikottai
Krishnagiri District-600 107.

3.The Inspector of Police
Rayakottai Police Station
Rayakottai
Krishnagiri District-635 116.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to direct the 2nd and 3rd respondents not to harass the petitioner under the guise of enquiry based on the petitioner's representation dated 06.12.2022.



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For Petitioner : Mr.J.Hari Krishna

For Respondents : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed, seeking a direction to the 2nd and 3rd respondents not to harass the petitioner under the guise of enquiry and consider the representation of the petitioner dated 06.12.2022.

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

3. The learned counsel for the petitioner submitted that he is a lawful owner of the subject matter of the property and he is putting up construction in the same; the opposite party by name, Rajalakshmi seems to have influenced the police and in view of that, the petitioner is being harassed by the respondents 2 and 3 every now and then.



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4. The learned Government Advocate appearing for the respondents submitted that on the complaint given by the said Rajalakshmi, the case has been registered in Crime No.230 of 2022 and on which, the petitioner is a named accused; since the petitioner is the named accused, he cannot file a petition and seek a remedy of this nature and he has to cooperate for the investigation.

5. The petitioner has stated that without any written complaint, he is being harassed by the police. The records would show that the FIR has been registered on the complaint given by one Rajalakshmi. Only in view of the said complaint, the petitioner is being called for enquiry. Since the petitioner is one of the accused, he has to cooperate with the respondents 2 and 3 for investigation. It is appropriate for the petitioner to cooperate in a manner known to law. However, the learned counsel for the petitioner submitted that he was not aware of the FIR pending against him. So, the petitioner is at liberty to get a copy of the FIR and seek appropriate recourse, if so advised for getting any remedy.



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6. With the above observation, this Criminal Original Petition stands disposed of.

16.12.2022

Index : Yes/No
Speaking Order : Yes / No
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To

- 1.The Superintendent of Police
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Krishnagiri District-600 001.
- 2.The Deputy Superintendent of Police
Denkanikottai
Krishnagiri District-600 107.
- 3.The Inspector of Police
Rayakottai Police Station
Rayakottai
Krishnagiri District-635 116.
- 4.The Public Prosecutor
High Court of Madras.



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R.N.MANJULA.,J
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