



Crl.O.P No.32015 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **23.12.2022**

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.32015 of 2022

Kullareddy

... Petitioner

Vs.

1. State rep. by
The Superintendent of Police,
Krishnagiri District.

2. Inspector of Police,
Sipcot Police Station,
Krishnagiri District.

... Respondents

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, directing the respondents herein not to harass the petitioner and his family members in the guise of an enquiry except in a manner known to law.

For Petitioner : MrV.Sakkarapani

For Respondents : Mr. S.Santhosh
Govt. Advocate (Crl.side)



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ORDER

This Criminal Original Petition has been filed to direct the respondents herein to not to harass the petitioner and his family members in the guise of an enquiry except in the manner known to law.

2. The learned counsel for the petitioner submitted that the petitioner is 81 year old senior citizen and he has also physical disability; the property situated in S.No.2/14 originally belonged to the petitioner by virtue of an oral partition among the petitioner's family members in the year 1985; subsequently he sold the property to one Thangavel and Thangavel sold the property to some third parties; while so the persons by name Madhaiyan and Nandagopal who happened to be the subsequent purchasers had started to put up construction in the property; the daughter of the petitioner had filed a suit for partition against the petitioner in O.S. No.29 of 2012 and the same is pending; in view of that the daughter of the petitioner had given a complaint against Madhaiyan and Nandagopal and upon which the respondent police, under the guise of enquiry, frequently calls the petitioner to the police station without considering his old age and inconvenience.



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3. The learned Government Advocate submitted that the daughter of the petitioner had filed a petition under Section 156(3) Cr.P.C. in Crl.M.P.No.2326/2022 on the file of the Judicial Magistrate II, Hosur; in the said proceedings, the learned Magistrate has called for a report from the police; only in this regard, the police happened to call the petitioner for enquiry and that cannot be considered as harassment.

4. Since the respondent police has to conduct enquiry for the purpose of submitting report to the Court as ordered in Crl.M.P. No.2326/2022, they might have called the petitioner for enquiry. Since the petitioner has stated that he is physically challenged and is a senior citizen, the respondent shall consider his inconvenience and conduct enquiry proceedings suiting to the convenience of the petitioner and the respondent police shall also make it possible to enquire the petitioner at his premises and get his statement if needed.

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

23.12.2022

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CrI.O.P No.32015 of 2022

R.N.MANJULA, J.,

bkn

To:

1. The Superintendent of Police,
Krishnagiri District.
2. Inspector of Police,
Sipcot Police Station,
Krishnagiri District.
3. The Public Prosecutor,
High Court, Madras.

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