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Crl.OP.No.31626 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2022

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.31626 of 2022

Shanmugasamy

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the District Superintendent Police,
Tiruppur.

2.The Inspector of Police,
Dharapuram Police Station,
Tiruppur – 638 565.

3.C.Periyasamy

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to
direct the 2nd respondent herein not to harass the petitioner.

For Petitioner : Mr.P.Saravana Sowmiyan
for Mr.W.Camyles Gandhi

For R-1 & 2 : Mr.S.Santhosh
Government Advocate (Criminal Side)



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ORDER

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2. Heard the learned Counsel for the petitioner and the learned Government Advocate (crl.side) for the respondents police.

3. It is seen from the submission of the petitioner that there is a land dispute between the petitioner and the 3rd respondent. Therefore, respondent police is to be directed not to interfere with the civil dispute unnecessarily and harass the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondents police submitted that on the basis of the complaint given by C.Periyasamy, enquiry is pending in Current Paper No.383 of 2022.

5. In order to circumvent such situations, the following guidelines are



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issued:

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a) While summoning any person named in the complaint or any witness to the incident complained of, the police officer shall summon such person through a written summon under Section 160 Cr.P.C., specifying a particular date and time for appearing before them for such an enquiry/investigation.

b) The 2nd respondent is directed to serve summons mentioning the CSR number, date of complaint and the name of the complainant.

c) The minutes of the enquiry shall be recorded in the general diary/station diary/daily diary of the police station.

d) The police officer shall refrain himself or herself from harassing persons called upon for enquiry/investigation.

e) The guidelines stipulated for preliminary enquiry or registration of FIR by the Hon'ble Supreme Court in **Lalita Kumari Vs. Government of Uttar Pradesh and others [2014 (2) SCC (1)]** shall be strictly adhered to.



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G.CHANDRASEKHARAN,J.

gd

6. With the above observations and direction, the Criminal Original
Petition stands disposed of.

22.12.2022

Internet : Yes / No

Index : Yes / No

Speaking/Non speaking order

gd

To

1.The Superintendent of Police,
Office of the District Superintendent Police,
Tiruppur.

2.The Inspector of Police,
Dharapuram Police Station,
Tiruppur – 638 565.

3.The Public Prosecutor,
Madras High Court.

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