

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2022

CORAM

THE HON'BLE MR.JUSTICE **SATHI KUMAR SUKUMARA KURUP**

CRL.O.P(MD)No.15496 of 2022

P.Enok Philip

...Petitioner

vs

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Deputy Superintendent of Police,
Anti Land Grabbing Special Cell,
Ramanathapuram.

3.The Inspector of Police,
Anti Land Grabbing Special Cell,
Ramanathapuram.

4.Thangavel

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Respondents herein not to unwarrantedly harass the Petitioner on the guise of the enquiry by compelling the Petitioner to undergo the demands of the De-facto Complainant Thangavel and not to conduct Katta Panchayat by interfering into civil dispute.

For Petitioner	:Mr.K.R.Laxman
For R1 to R3	:Mr.A.Albert James Government Advocate
For R4	:Mr.T.Thirumurugan

ORDER

This Petition is filed by the Petitioner, who is arrayed as A9 in Cr.No.34 of 2021 on the file of the third respondent Police.

2.It is the submission of the learned Counsel for the Petitioner that the first Respondent sent his men at odd hours to the Petitioner's residence and cause harassment. It is his further submission that the Petitioner has already been granted bail by this Court and he is not shy in appearing before the third Respondent. He is no way involved with the transaction. He is not the person, who had sold the property or purchased the property or scribe of the sale deed.

3.The learned Counsel for the Respondent No.4 submitted that the Petitioner was the care taker of the property belonging to Church of South India. He had received money from the De-facto Complainant amounting to Rs.65,00,000/-. The fourth Respondent is not the complainant. The complaint was lodged by the Church of

South India.

4.The learned Government Advocate submitted that the Petitioner had not cooperated with the pending investigation. He is shy of appearing before the Respondent Police.

5.Considering the submission of the learned Government Advocate, the Petitioner is directed to appear before the third Respondent. The third Respondent is directed not to cause harassment by sending his men at odd hours to the residence of the Petitioner. The Petitioner having been granted bail, he is duty bound to cooperate with the pending investigation. The request of the learned Counsel for the Petitioner to permit the Petitioner to appear before the investigation team along with the Counsel is permitted. When the Investigation Officer proceeds with the investigation procedure, the learned Counsel shall not interfere with the investigation process. The learned Counsel appearing for the Petitioner has to wait in the waiting room either in the place of Police Head Quarters or Police Station, wherever it is.

6.With the above directions, this Petition is disposed of.

06.09.2022

Index:Yes/No

cmr

To

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- 3.The Inspector of Police,
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SATHI KUMAR SUKUMARA KURUP, J.

cmr

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