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Crl.O.P.No.7167 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.7167 of 2023

1.S.Dhanapal

2.M.Madhan

...Petitioners

Vs.

1.The Inspector of Police,
Law and Order,
Korattur Police Station,
Korattur, Chennai – 600 076.

2.M/s.G.P.Homes Pvt. Ltd.,
Rep by its Managing Director,
Mr.S.Elumalai, S/o.Mr.E.Sivalingam,
No.W740, 1st Floor,
Syndicate Bank Colony,
Anna Nagar West Extension,
Chennai – 600 101.

...Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to direct the 1st respondent “Not to harass” the petitioners and their family members based on the complaint lodged by 2nd respondent dated 21.03.2023 under the guise of enquiry.



Crl.O.P.No.7167 of 2023

For Petitioners : Mr.T.Ramachandran
For Respondents : Mr.S.Santhosh (For R1)
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed to direct the 1st respondent “Not to harass” the petitioners and their family members based on the complaint lodged by 2nd respondent dated 21.03.2023 under the guise of enquiry.

2.The learned counsel for the petitioners submitted that there is a civil suit in O.S.No.16 of 2023 pending on the file of learned District Munsif, Ambattur, filed by the petitioner against the second respondent and one Gowri, for the relief of declaration of the sale deed executed by Gowri in favour of second respondent is null and void and for other reliefs. When the civil suit is pending, the first respondent is harassing the petitioners on the basis of the complaint given by the second respondent. Therefore, this petition.

3.The learned Government Advocate (Criminal side) submitted that



Crl.O.P.No.7167 of 2023

petitioners were enquired by the first respondent. After enquiry, the enquiry was closed for the reason that second respondent has given a written undertaking that second respondent would not interfere with the petitioner's possession of the property.

4.In view of the submission of learned Government Advocate (Criminal side) that there is no petition enquiry or First Information Report is pending against the petitioners and petitioners are not required for any enquiry, this Court directs the respondent not to harass the petitioners, especially in a matter connected with civil dispute in O.S.No.16 of 2023.

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

19.04.2023

Index: Yes/No
Speaking/Non speaking order
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WEB COPY



Crl.O.P.No.7167 of 2023

G.CHANDRASEKHARAN, J.

ep

To:-

- 1.The Inspector of Police,
Law and Order,
Korattur Police Station,
Korattur, Chennai – 600 076.
- 2.The Public Prosecutor
High Court of Madras.

Crl.O.P.No.7167 of 2023



WEB COPY



CrI.O.P.No.7167 of 2023

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