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Crl.O.P.No.14045 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2023

CORAM

THE HONOURABLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.14045 of 2023

V.Sudha

... Petitioner

Vs.

The State

Represented by the Inspector of Police,
Kodumudi Police Station,
Erode District.

(In Crime No.Unknown of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., directing the respondent Police not to harass the petitioner and her family members in the guise of an enquiry.

For Petitioner : Mr.M.Dinesh Hari Sudarsan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Criminal side)

ORDER

This Criminal Original Petition has been filed directing the respondent Police not to harass the petitioner and her family members in the guise of an enquiry.



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2. It is the submission of the learned counsel for the petitioner that the respondent Police is insisting the petitioner to hand over the keys of her house property. The petitioner is in possession of the property. The complainant one Krishnamoorthi filed a suit against the petitioner for declaration of title and permanent injunction and the said suit was dismissed. The appeal filed against the Judgment was also dismissed. Thereafter, the said Krishnamoorthi gave a complaint against the petitioner and now the respondent Police is insisting the petitioner to hand over the keys. Therefore, this petition.

3. In response, the learned Government Advocate (Crl.side) submitted that now there is no petition enquiry or FIR pending against the petitioner and the petitioner is not required for any enquiry.

4. In the light of the submission made by the learned counsel for the petitioner that the respondent Police is insisting the petitioner to hand over the keys of the house property, this Court is of the view that such an insistence cannot be made by the respondent Police, especially when the civil Court's finding is against the complainant.



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5. In this view of the matter, the respondent Police is directed not to interfere with the civil dispute between the parties and harass the petitioner on the garb of enquiry. Any deviation will be viewed seriously.

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

23.06.2023

Internet : Yes / No

Index : Yes / No

Speaking/Non speaking order
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G.CHANDRASEKHARAN,J.

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To

1. The Inspector of Police,
Kodumudi Police Station,
Erode District.
- 2.The Public Prosecutor
Madras High Court.

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