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Crl.OP.No.20988 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.Nos.20988 and 22465 of 2023

and

Crl.MP.No.14424 of 2023

Crl.OP.No.20988 of 2023

Kamalakannan

... Petitioner

Vs.

1. State by,
The Inspector of Police,
Arcot Town Police Station,
Ranipet District.
Cr.No.368 of 2022

2. Kavita

... Respondents

Crl.OP.No.22465 of 2023

1. Tharabai
2. Yogalakshmi

... Petitioners

Vs.

1. The Superintendent of Police,
Office of Superintendent of Police,
Ranipet District.
2. The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Ranipet Division, Ranipet District.
3. The Inspector of Police,
Arcot Town Police Station,



Crl.OP.No.20988 of 2023

Arcot, Ranipet District.

... Respondents

Prayer in Crl.OP.20988 of 2023 : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records in Cr.No.368 of 2022 on the file of the Inspector of Police, Arcot Town Police Station, Ranipet District and quash the F.I.R.

Prayer in Crl.OP.20988 of 2023 : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the 2nd and 3rd respondent herein not to harass the petitioners in any manner relating to the complaint lodged by N.Hemalatha.

Crl.OP.No.20988 of 2023

For Petitioner : Mr.S.Silambu Selvan

For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)
for R1

Crl.OP.No.22465 of 2023

For Petitioners : Mr.D.Thirumoorthy

For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)
for R1 to R3.

COMMON ORDER

Two petitions filed one to quash Cr.No.368 of 2022. It is the case of the dispute between sisters regarding the property and money left by their parents and another not to harass.



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2. In view of the dictum laid down by the Hon'ble Supreme Court in *Neeharika Infrastructure Pvt Ltd., /Vs/ State of Maharashtra and Others* reported in 2021 SCC Online SC 315, the facts of the case does not fall within the parameters to quash FIR and not to harass. Hence, the prayer sought cannot be entertained. The respondent police is directed to complete the investigation and file a final report within a period of four months from the date of receipt of a copy of this Order.

3. With the above directions, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

Vv

10.10.2023

To

1. The Inspector of Police,
Arcot Town Police Station,
Ranipet District.

2. The Public Prosecutor,
High Court of Madras,
Chennai.



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Crl.OP.No.20988 of 2023

Dr.G.JAYACHANDRAN,J.

Vv

Crl.OP.Nos.20988 and 22465 of 2023
and
Crl.MP.No.14424 of 2023

10.10.2023