



WEB COPY

W.P. No.28580 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.10.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

W.P.No.28580 of 2023
and WMP. No.28130 of 2023

Angammal

... Petitioner

-VS-

1. The State by
The Superintendent of Police,
District Crime Branch,
Namakkal District.

2. The Inspector of Police,
District Crime Branch,
Namakkal District.

3. M. Ponnammal

... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents No.1 & 2 not to harass the petitioner.

For Petitioner

: Mr.S.Bharanidharan

For Respondent

: Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioner on receiving the notice from the respondent Police under Section 91 and 160 of Cr.P.C, one Ponnammal, who sold the property to one



Kaliyappan in the year 2015 registered as document at SRO, Namakkal had given a complaint to the Superintendent of Police, Namakkal on 08.09.2023 alleging that the property was illegally transferred in the name of Angammal by grabbing adjacent land to meet out her son's medical expenses.

2. Pursuant to the complaint, the respondent police has summoned the petitioner herein, who is the purchaser of 1.50 acres subject land from Kaliyappan in the year 2022. The summon under Section 91 and 160 of Cr.P.C requests the petitioner to appear before the Inspector of Police, District Crime Branch, Namakkal on 26.05.2023 at 11.00 am.

3. The petitioner states that when she appeared before the Inspector of Police, they wanted her to produce the original title documents executed by Kaliyappan in her favour.

4. However, the learned Government Advocate states that the petitioner has not appeared before the Investigation Officer in response to the summon sent to her and it is incorrect to allege that she was harassed by the Police. It is also submitted that if the documents sought for is produced and the petitioner appears before the Investigation Officer and give satisfactory explanation, how



she purchased the property from Kaliyappan, there is no necessity to proceed against her on the complaint given by Ponnammal.

5. In view of the above statement of the learned Government Advocate, the Original Petition is disposed of with a direction that the respondent Police shall pass summons to the petitioner herein for her appearance to produce documents and give statement. On her appearance, she must be treated humanly and need not be pressurised to give original documents and it is suffice to produce the certified copy to the investigation Officer for further investigation and at the end of the investigation, if original documents are necessary, the same may be seized from the petitioner herein in accordance with law and produce before the Court if necessary. Connected Miscellaneous Petition is also closed. No costs.

04.10.2023

Internet : Yes/No

Index : Yes/No

rkp

To

The Superintendent of Police,
District Crime Branch,
Namakkal District.

2. The Inspector of Police,
District Crime Branch,
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Dr.G.JAYACHANDRAN, J.

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