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Crl. O.P. No.27114 & 27186 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.12.2023

CORAM :

THE HONOURABLE Dr. JUSTICE **G.JAYACHANDRAN**

Crl.O.P Nos.27114 & 27186 of 2023

Rajamanickam

.. Petitioner in Crl.O.P. No.27114 of 2023

Fazulullah Khan

.. Petitioner in Crl.O.P. No.27186 of 2023

Vs.

1.The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
St.Thomas Mount District, Chennai 600 016.

2.The Inspector of Police (Law & Order),
S-1, St.Thomas Mount Police Station,
Alandur, Chennai - 600 016.

3.Mr.Citrarasu

..Respondents in Crl.O.P. No.27114 of
2023

1.The Commissioner of Police,
Commissioner's Office,
Vepery, Chennai.

2.The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,



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St.Thomas Mount District, Chennai 600 016.

3.The Inspector of Police (Law & Order),
S-1, St.Thomas Mount Police Station,
Alandur, Chennai - 600 016.

4.Mr.Citrarasu

..Respondents in Crl.O.P. No.27186 of 2023

PRAYER in Crl.O.P. No.27114 of 2023 : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to issue a direction, directing the first respondent not to harass the petitioner and workers members by interfering with the matter purely civil in nature.

PRAYER in Crl.O.P. No.27186 of 2023 : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to issue an appropriate direction, directing the second respondent not to harass the petitioner, his family members and permissive occupant by interfering with the matter purely civil in nature.

For Petitioners : Mr.P.Thiagarajan
in both Crl.O.Ps.

For Respondents : Mr.Leonard Arul Joseph Selvam,
Government Advocate (Crl.Side)
for R1 & R2 in Crl.O.P. No.27114 of 2023
for R1 - R3 in Crl.O.P. No.27186 of 2023

COMMON ORDER

These petitions are filed to not to harass the petitioners, based on the complaint given by one Citrarasu to the Commissioner of Police,



Vepery.

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2. The learned counsel for the petitioner submitted that the petitioner in Crl.O.P. No.27186 of 2023, is the absolute owner of the property and the defacto complainant is a Stranger. Whiles, initially, the complaint was given to the Inspector of Police, Alandur to enquire the matter has been closed. All the relevant documents pertaining to the title of the property been furnished in the course of the enquiry. However, the defacto complainant pressurizing through police and harassing the petitioners. Insofar as, the petitioner in Crl.O.P. No.27114 of 2023, Rajamanickam, who is now parking the travel vehicles in the disputed property on permission granted by the petitioner in Crl.O.P. No.27186 of 2023.

3. The learned Government Advocate (Crl.Side) submits that regarding the piece of land, for which parties are agitating civil proceedings and the same is pending. Earlier, the Inspector of Police, concerned jurisdiction enquired the matter and closed. Being aggrieved, the defacto complainant Citrarasu has preferred another petition, to the Commissioner, Vepery and pursuant to that Deputy Commissioner of



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Police has called these petitioners for enquiry. It is incorrect to say that, the petitioners are subjected to harassment. If the petitioners cooperate with the enquiry and produce documents available with them to show that they are entitled to be in the property or there is any substantial civil dispute touching upon the title, the Police will not interfere in the matter and report appropriately.

4. Recording the same, the petitions are *disposed of* with a direction to the Deputy Commissioner of Police who is now conducting the enquiry, shall conduct the enquiry in accordance with law as per the guidelines laid by the Hon'ble Supreme Court and complete the investigation within the reasonable time.

01.12.2023

Internet : Yes/No

Index: Yes/No

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To

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Dr.G.JAYACHANDRAN, J.

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