



Crl.O.P.(MD)No.4599 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.03.2023

CORAM:

THE HONOURABLE **MR.JUSTICE G.ILANGO VAN**

Crl.O.P.(MD)No.4599 of 2023

Harikaran @ Ponnusamy

... Petitioner

Vs.

1.The Superintendent of Police,
Tenkasi,
Tenkasi District.

2.The Inspector of Police,
Kadaiyanallur Police Station,
Tenkasi District.

3.Mohammed Kani

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the second respondent not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.S.Sundarapandian

For R-1 and R-2 : Mr.B.Nambiselvan

Additional Public Prosecutor



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ORDER

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This petition has been filed to direct the second respondent not to harass the petitioner under the guise of an enquiry.

2.The learned counsel for the petitioner submitted that due to property dispute between the petitioner and the third respondent herein, the third respondent has filed O.S.No.281 of 2022 on the file of the Principal District Munsif Court, Tenkasi and the same is pending. He further submitted that during the pendency of the above said suit, the third respondent has lodged a false complaint before the second respondent police. Based upon the complaint, the second respondent police harassed the petitioner under the guise of enquiry.

3.When the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents 1 and 2 submits that on receipt of the complaint, the respondent police conducted the investigation and registered a case in Crime No.424 of 2022 for the offences punishable under Sections 147, 447, 294(b) and 506(i) of IPC,



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4.Once the regular FIR has been registered, the question of “Not to harass” will not arise and in view of the above submission, nothing survives for further consideration or direction in this matter. Hence, this Criminal Original Petition is disposed of as infructuous and liberty is granted to the petitioner to workout his remedy through the appropriate Court through proper proceedings.

13.03.2023

Index: Yes/No
Internet: Yes/No
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To

- 1.The Superintendent of Police,
Tenkasi,
Tenkasi District.
- 2.The Inspector of Police,
Kadaiyanallur Police Station,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J

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