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Crl.O.P.No.9672 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:23.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.9672 of 2024

1. Mr.V.Muniraj.
2. Mr.Gunasekaran.
3. Mr.S.Kumaravel.
4. Mr.C.Thirumal.

... Petitioners

/versus/

1. The State Represented by its,
Superintendent of Police,
District Police Office,
Dharmapuri District.
Dharmapuri.
2. The Additional Superintendent of Police,
District Police Office,
Dharmapuri District,
Dharmapuri.

... Respondents

Prayer: Criminal Original Petition has been filed under Section 482 of Cr.P.C., to direct the respondent police not to harass the petitioners in the guise of investigation/enquiry.

For Petitioners : Mr.K.Mayurapriyan

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

For Intervenor : Mr.T.Vijay



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ORDER

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This Criminal Original Petition is filed to direct the respondent police not to harass the petitioners under the guise of investigation/enquiry.

2. Mr.P.Annadurai and Mr.P.Baskar are brothers. The petitioners herein are tenants of the building owned by these brothers. Since there was a dispute between the brothers regarding ownership and title, these petitioners were called by the police for enquiry. Instead of participating in the enquiry, alleging that the police is harassing the petitioners frequently under the guise of investigation, the present petition is filed for direction not to harass.

3. The Learned Government Advocate (Crl.Side) appearing for the respondent states that since complaint regarding unauthorised occupation been received, these petitioners were called for enquiry. The petitioners instead of participating in the enquiry has come to the Court.

4. The learned counsel appearing on behalf of intervenor/Baskar states that there is a title dispute between him and his brother, Mr.P.Annadurai, which has ended in his favour and out of the four petitioners, two have already



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entered into agreement with him, and the other two petitioners have entered into agreement with Mr.P.Annadurai, who has no title or right over the building.

5. This Court, on hearing the counsels, is of the opinion that it is purely a civil dispute between the co-owners, and the police shall not interfere in the matter unless and until any cognizable offence comes to their notice. If any summons is issued to the petitioners, they shall participate in the enquiry and produce documents to show their right to be in occupation of the premises.

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

23.04.2024

Index :Yes/No.

Neutral Citation :Yes/No.

bsm

Copy to:

1. The Superintendent of Police, District Police Office,
Dharmapuri District.
Dharmapuri.
2. The Additional Superintendent of Police,
District Police Office,
Dharmapuri District,
Dharmapuri.
3. The Public Prosecutor, High Court, Madras.



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DR.G.JAYACHANDRAN,J.

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