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Crl.O.P.No.10682 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:29.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.10682 of 2024

M.Varalakshmi

.. Petitioner

/versus/

The Inspector of Police,
B-7, Veelavedu Police Station,
Thiruvallur District.

.. Respondent

Criminal Original Petition has been filed under Section 482 of Cr.P.C., to direct the respondent not to harass the petitioner under the guise of enquiry.

For Petitioner :Mr.R.Lokeshwaran

For Respondent :Mr.S.Udaya Kumar,
Govt. Advocate (Crl.Side),



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ORDER

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The petitioner herein alleges that for the civil dispute regarding encroachment by the neighbour, the petitioner, who is no way connected being called by the Police and harassed.

2. The learned Government Advocate (Crl.Side) submitted that on receipt of the complaint, the petitioner was called for enquiry but the petitioner did not attend. If at all there is any complaint, that has to be properly registered and the parties must be summoned as per Law. Merely calling a person to the police station, without any summon or complaint, is objectionable.

3. On the complaint given by Sivasakthi Kumar, the respondent police has summoned the petitioner herein under Section 91 of Cr.P.C. to attend the enquiry along with the documents. Alleging that thrice the Police has summoned and pressurised the petitioner to execute the deed in favour of the complainant, the present petition is filed seeking protection from the police harassment.



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4. The learned Government Advocate (Crl.Side) states that though summon was issued, the petitioner has not participated in the enquiry and the police want to ascertain whether the petitioner had criminally trespassed into the land of the complainant. If the petitioner is able to produce documents to show title over the possession, the police will not interfere with the civil dispute.

5. Recording the undertaking given by the petitioner, this Criminal Original Petition is disposed of directing the petitioner to participate in the enquiry, if any summon is issued, the petitioner shall produce the documents, which are in favour of her title and possession.

29.04.2024

Index:yes/no

Neutral citation:yes/no

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To:

The Inspector of Police, B-7, Veelavedu Police Station,
Thiruvallur District.



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DR.G.JAYACHANDRAN,J.

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