



WEB COPY



CrI.O.P.No.13513 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.13513 of 2024

1. Thimmojamma.
2. Anjali @ Anjalamma.
3. B.Basavaraj.
4. Venkatalakshmi.
5. K.Sennakesavalu.

... Petitioners

Vs.

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

2. The Inspector of Police,  
Shoolagiri Police Station,  
Shoolagiri,  
Kallakurichi District.

... Respondents

**Prayer:** Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the 2<sup>nd</sup> respondent not to harass the petitioners by appreciating the facts and circumstances of the case.

For Petitioners : Mr.R.Jayaprakash

For Respondents : Mr.K.M.D.Muhilan,  
Government Advocate (CrI.Side)



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## **ORDER**

**WEB COPY** One Vasanthakumar of Shoolagiri had given a written complaint to the Sub Inspector of Police, Shoolagiri Police Station alleging that one Pasavaraj and his family members have encroached and damaged the property owned by him using JCB. When he questioned him, he was threatened with dire consequence withal weapon. This incident alleged to have been taken place on 19.05.2024. The petitioner herein and the family members of Pasavaraj are before this Court stating that the police is unnecessarily harassing them, when there is a civil dispute between them and one Narayana Reddy.

2. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that on receipt of the written complaint dated 19.05.2024 from Vasanthakumar to find out whether any criminal act alleged to have been committed, the petitioner was called. Instead of participating in the enquiry, they have approached this Court.

3. This Court finds that when the complaint alleging criminal trespass and intimidation been received on 19.05.2024, the 2<sup>nd</sup> respondent ought to have either register the complaint as First



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Information Report or ought to have conducted a preliminary enquiry by registering the complaint petition or C.S.R., instead it appears that the police has harassed the petitioners without registering the complaint.

4. In the said circumstances, the 2<sup>nd</sup> respondent police is hereby directed to register the complaint, conduct enquiry and find out whether there is any act of crime committed by the petitioners herein. If so, proceed in accordance with law, otherwise should close the complaint as 'Mistake of Facts'. In any event, the enquiry so conducted must be in accordance with law and shall not be in any way violated the right of the petitioners.

5. With this observation, this Criminal Original Petition is disposed of.

**11.06.2024**

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

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



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**Dr.G.JAYACHANDRAN,J.**

rpl

2. The Inspector of Police,  
Shoolagiri Police Station,  
Shoolagiri,  
Kallakurichi District

3.The Public Prosecutor,  
High Court of Madras,  
Chennai.

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