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CrI.O.P.No.21686 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.21686 of 2024
& CrI.M.P.No.12410 of 2024

1. Dayalan.

2. Parandhaman.

... Petitioner/Accused 1 & 2

-VS-

1. State Rep. by,
Inspector of Police,
Adambakkam Police Station,
St. Thomas Mount,
Chennai.

... 1st Respondent/Investigating Officer

2. Mrs.P.Gomathi.

... 2nd Respondent/defacto Complainant

Prayer: Criminal Original Petitions are filed under Section 482 of Cr.P.C., to call for the records relating to FIR in Crime No.244 of 2024 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.R.Amizhdhu.

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



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ORDER

The Learned Counsel for the petitioner states that in a civil dispute between the petitioner and one Mrs.Gomathi, the police is interfering and trying to dispossess the petitioner under the guise of investigating Crime No.244 of 2024 dated 20.06.2024.

2. The Learned Government Advocate (Crl.Side) for the 1st respondent is yet not commenced. In this case, if the petitioner produce the documents which would show that it is purely civil dispute, same will be taken into consideration and appropriate decision will be taken.

3. Private notice sent to the defacto complainant returned as door locked with intimation delivered.

4. This Court after going through records which indicates that there is counter allegation by the petitioner against the defacto complainant that she had fabricated document as if she had purchased the property from Tiruvannamalai Kunrakudi Aadheenam and only based on that document she is



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trying to dispossess the petitioner herein. However, the petitioner gave the complaint to the police about the attempt to trespass and grab the property. The police rightly directed the petitioner to approach the Civil Court. However, contrary to the earlier wisdom, they have entertained the complaint given by one Mrs.Gomathi and registered the F.I.R against this petitioner.

5. Therefore, this Court directs the respondent police herein to follow the Circular No.18/ADGP/L&O/Camp/2024 of the Additional Director General of Police, (Law & Order) dated 09.01.2024 issuing guidelines to the police not to interfere in the civil disputes and act appropriately in accordance with law, after giving opportunity to the petitioner to put forth his case.

6. With this observation, ***this Criminal Original Petition is disposed of.*** Consequently, connected Miscellaneous Petition is closed.

24.09.2024

Index : Yes/No

Neutral Citation : Yes/No

bsm

To:-

1. The Inspector of Police, Adambakkam Police Station, St. Thomas Mount, Chennai.

2. The Public Prosecutor, High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

bsm

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