



Crl.O.P.No.28020 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.28020 of 2024

1. K.Shyamaladevi
2. N.Ganeshkumar

... Petitioners

Vs.

1. The Superintendent of Police,
Salem District, Salem.
2. The Deputy Superintendent of Police,
Omalur Taluk, Salem District.
3. The Inspector of Police,
Omalur Police Station,
Salem District.
4. Karthick
5. O.M.Ramesh
Unior Panchayat Secretary (East),
Omalur Taluk, Salme District.

...Respondents

Prayer: Criminal Original Petition filed under Section 528 BNSS, to direct the second and third respondent police not to harass the petitioners under the guise



CrI.O.P.No.28020 of 2024

of enquiry.

WEB COPY

For Petitioners : M/s.Law Vision

For Respondents : Mr.S.Sugendran,
Addl. Public Prosecutor for RR1 to 3

ORDER

This petition has been filed seeking directions to the second and third respondent police not to harass the petitioners under the guise of enquiry.

2 Learned counsel for the petitioners would submit that the petitioner owned agricultural land, in which they are cultivating crops. The fourth and fifth respondents, being adjacent owners, trespassed into the petitioners' property and damaged the crops and also threatened the petitioners to execute sale deed in favour of the fifth respondents. Therefore the petitioners made complaint before the third respondent and knowing the same, the respondents 4 and 5 made false complaint against the petitioners, based on which, the second respondent, in the name of enquiry, again and again sending some police personnel to the petitioners' land and also making threat calls to the petitioner, thereby harassing the petitioners.

3 Learned Additional Public Prosecutor for the respondents 1 to 3



CrI.O.P.No.28020 of 2024

would submit that based on the complaint given by the fourth respondent, the petitioners were called for enquiry and there is no harassment as alleged by the petitioners.

4 Heard the learned counsel appearing on either side and perused the materials available on record.

5 It is the bounden duty of the police to call for enquiry, whenever they receive complaint from general public. Therefore mere summoning a person and calling for enquiry/investigation would not amount to harassment. But, the respondent police also should properly summon the person for enquiry and they cannot call the person as per their whims and fancies.

6 With the above observations, this criminal original petition stands disposed of.

19.11.2024

Speaking Order/Non Speaking Order
cgi

To

1. The Superintendent of Police, Salem District, Salem.
2. The Deputy Superintendent of Police, Omalur Taluk, Salem District.
3. The Inspector of Police, Omalur Police Station, Salem District.
4. The Public Prosecutor, Madras High Court.



WEB COPY



CrI.O.P.No.28020 of 2024

P.VELMURUGAN, J.,

cgi

CrI.O.P.No. 28020 of 2024

19.11.2024