



WEB COPY



CrI.O.P.No.31108 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.31108 of 2024

V.A.Balakrisnan

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
F-5, Choolaimedu Police Station,
Law and Order,
Chennai.

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 BNSS, to direct the respondent-Police not to harass the petitioner in the name of enquiry or otherwise.

For Petitioner : Mr.M.Jaikumar

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This criminal original petition is filed for a direction to the respondent-Police not to harass the petitioner in the name of enquiry or otherwise.

2. The case of the petitioner is that the complainant alleged a civil dispute against him. Based on this complaint, the petitioner was directed by the respondent Police to appear in person. The property in question, situated



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at Door No. 17/8, Ayyappan Nagar, Periyar Paathai, Choolaimedu, Chennai-600 094, was originally purchased by Mangalalakshmi, who passed away on 01.07.2006, leaving her husband Munusamy as the sole heir. Munusamy entered into a sale agreement with the petitioner on 12.02.2007 for Rs.32,50,000/- (Thirty Two Lakhs and Fifty Thousand Only), with Rs.15,00,000/- (Fifteen Lakhs Only) paid as advance. The petitioner was put in possession of the property in 2007 and received all original documents. The petitioner filed a specific performance suit against Pavun, which is pending in O.S.No.5421 of 2022 before the XXI Additional City Civil Judge at Chennai. The court allowed an application to examine the signatures of Pavun and her husband. Aggrieved by this, Pavun filed a false police complaint. Despite knowing the complaint is civil in nature, the police harassed the petitioner, demanding daily appearances and forcing a compromise, which is illegal and unconstitutional.

3. The learned Additional Public Prosecutor, on instructions, would submit that no case is pending against the petitioner and hence, there is no harassment.

4. Recording the above submission, it is noted that no case is currently pending against the petitioner. The learned Additional Public Prosecutor has confirmed this and stated that there is no ongoing investigation or charge



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against the petitioner. Therefore, any perceived harassment by the police is unfounded and merely an apprehension of the petitioner. Hence, this criminal original petition is dismissed.

12.12.2024

Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

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To

1. The Inspector of Police,
F-5, Choolaimedu Police Station,
Law and Order,
Chennai.
2. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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