



CRL.OP(MD) NO.5370 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. O.P(MD) No.5370 of 2024

1.Arun Kumar
2.Saroja
3.Daisy

... Petitioners

Vs.

1.The Superintendent of Police
Thoothukudi.

2.The Inspector of Police
District Crime Branch,
Thoothukudi.

3.Kovildurai

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to direct the second respondent not to harass the petitioners by insisting them to return the original parent deed in respect of the properties in Survey Nos.581/2 and 582, Katchapuram, Mudhulur Village, Sathankulam Taluk, Thoothukudi under the guise of exercising his powers.



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For petitioner : Ms.V.Moushica
For R1 & R2 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)
For R3 : Mr.Muthumalai Raja

ORDER

This petition has been filed by the petitioners to direct the second respondent not to harass the petitioners by insisting them to return the original parent deed in respect of the properties in Survey Nos.581/2 and 582, Katchapuram, Mudhulur Village, Sathankulam Taluk, Thoothukudi under the guise of exercising his powers.

2. Mr.M.Sakthi Kumar, the learned Government Advocate (Crl.Side) takes notice for the respondents 1 and 2 and Mr.Muthumalai Raja, learned counsel takes notice for the third respondent.

3. The learned counsel for the petitioners would submit that based on the complaint given by the third respondent, the second respondent police harassed the petitioners by insisting then to return the original documents in respect of the properties comprised in Survey Nos.581/2 and 582, Katchapuram, Mudhulur Village, Sathankulam Taluk, Thoothukudi.



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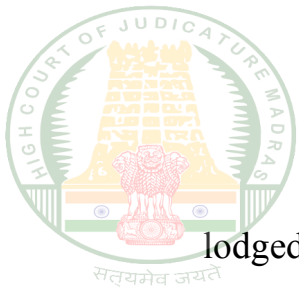
Hence, they filed this petition.

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4. The learned Government Advocate (Crl.Side) for the respondents police would submit that based on the complaint given by the third respondent, the second respondent police called the petitioners and insisting them to produce the documents for comparing the documents through the experts. The petitioners have not appeared before the police and they were not harassed by the second respondent police as alleged by the petitioners. However, they will complete the enquiry within 15 days and act in accordance with law.

5. The learned counsel for the third respondent would submit that the third respondent is the owner of the said properties. He executed a power deed in favour of the first petitioner and thereafter, he cancelled the same. Now, the original documents are with the first petitioner and thereby, he lodged the complaint to return the said documents, but, the respondents police have not taken any steps so far.

6. Since the prayer of the petitioners is not to harass the petitioners by insisting them to return the original documents and complaint also



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lodged by the third respondent before the second respondent police in respect of the above said documents and the same is under enquiry by the second respondent. This Court, after recording the above said submission, directs the second respondent to complete the enquiry and dispose of the same within a period of 15 days from the date of this order in accordance with law.

7. Accordingly, this Criminal Original Petition is disposed of.

17.03.2025

NCC : Yes/No

Index : Yes / No

Internet : Yes / No

apd

To

1.The Superintendent of Police
Thoothukudi.

2.The Inspector of Police
District Crime Branch,
Thoothukudi.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P.DHANABAL,J

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