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Crl. O.P.No. 25605 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED :19.10.2024

CORAM

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

Crl.OP.No.25605 of 2024

Anandhakrishnan

.. Petitioner

Vs.

1. Superintendent of Police,  
Cuddalore District,  
Cuddalore.

2. Bhakyaraj  
Sub Inspector of Police,  
Penndam Police Station,  
Cuddalore District.

.. Respondents

**Prayer:** Criminal Original Petition is filed under Section BNSS, 2023 to directing the second respondent not to harass the petitioner without following the due process of law.

For Petitioner : Mr.M.Velmurugan

For Respondents : Mr.S. Udaya Kumar  
Government Advocate (Crl.Side)

**ORDER**



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**WEB COPY** This Criminal Original Petition is filed direction to the second respondent not to harass the petitioner.

2. The petitioner states that there is a civil dispute between him and Baskar. While so, the respondent police is calling him to **accede** to the unreasonable demand of Baskar.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police on instructions states that on the complaint forwarded through the Superintendent of Police, the police has called the petitioner herein to enquire about the petition of one Baskar. Earlier complaint in C.S.R.No.289 of 2023 given by Baskar was closed, considering the dispute been civil in nature.

4. It is also brought to the notice to the respondent police that O.S.No.22 of 2020 is pending on the file of Thittakudi, Cuddalore in respect of the disputed property. Therefore, if the petitioner appear before the police and produce documents available with him regarding the status of the Civil Suit, police will disposed of the complaint based on the



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documents.

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5. Taking note of the facts and circumstances of the case, this Court finds that apparently it is only a civil dispute and the police has no role to enquire. However, since the petitioner been forwarded from the SPs' Office, the second respondent had called the petitioner for enquiry. The said enquiry must be in accordance with law and only after serving due notice for appearance. Since in this case, the said procedure not followed by the second respondent, this Criminal Original Petition is disposed of with direction that the second respondent shall cause notice to the petitioner for enquiry and conduct enquiry in accordance with law and disposed the complaint based on the materials collected in the course of enquiry.

**19.10.2024**

Vv

To

- 1.The Superintendent of Police,  
Cuddalore District,  
Cuddalore.
- 2.The Public Prosecutor,  
High Court of Madras.

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



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**Vv**

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