



*Crl.O.P.(MD)No.8520 of 2024*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED : 12.06.2024

CORAM :

**THE HON'BLE MR.JUSTICE B.PUGALENDHI**

Crl.O.P.(MD)No.8520 of 2024

Muniyaraj

... Petitioner

Vs.

1.The Superintendent of Police,  
Sivagangai District.

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

3.Muniyasamy

... Respondents

**Prayer :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent No.2 herein to not to harass the petitioner on the guise of the enquiry in pursuance to the complaint lodged by the 3<sup>rd</sup> respondent.

For Petitioner

: Mr.C.Senthil Murugan

For R1 & R2

: Mr.B.Thanga Aravindh

Government Advocate (Crl.Side)

**ORDER**

The petitioner has filed this Petition to direct the second respondent not to harass him under the guise of an enquiry, in pursuance to the complaint lodged by the third respondent.



*Crl.O.P.(MD)No.8520 of 2024*

WEB COPY

2. The learned Government Advocate (Crl.Side) submits that on the complaint of the third respondent before the Superintendent of Police, Sivagangai District, the complaint has been forwarded to the respondent police in Current Paper No.743/2024 on 07.06.2024 and they are conducting an enquiry.

3. The Police get the power of enquiry / investigation only on registration of an FIR. In ***Lalitha Kumari Vs Government of Uttar Pradesh and others*** reported in ***(2013) 14 SCR 801***, the Hon'ble Supreme Court permitted the Station House Officers to conduct preliminary enquiry on certain nature of complaints like matrimonial dispute, commercial disputes, medical negligence etc.,. However complaints of civil in nature are entertained and these petition enquiries are also prolonged for several months. The Police Standing Order PSO.No.562 prohibits investigation in the cases of civil in nature. Circulars are also issued by the Additional Director General of Police in Circular NO.18/ ADGP/L&O/Camp/2024 dated 09.01.2024 that the police are strictly refrained from enquiring or entertaining in civil matters like money dispute, land dispute, property dispute, pathway dispute, intellectual property dispute.,etc.,



*Crl.O.P.(MD)No.8520 of 2024*

4. These circulars also caution police officer that any petition enquiry without endorsement of Superintendent of Police / Commissioner of Police on civil matters would be considered illegal and will attract disciplinary action.

5. Therefore, it is the responsibility of the superior officers like Deputy Superintendent of Police, Additional Superintendent of Police, Superintendent of Police and Commissioner of Police to ensure that these instructions of the Additional Director General of Police in Circular No.18/ADGP/L&O/Camp/2024 dated 09.01.2024 are strictly complied with. The contents of the enquiry appears to be a money dispute, the police is not expected to interfere in this civil dispute.

6. In view of the above, the respondent Police shall conclude the petition enquiry within a period of two weeks from the date of receipt of copy of this order. Accordingly this criminal original petition is disposed of. The respondent police shall not harass the petitioner.

Index : Yes/No  
NCC : Yes/No  
LS/RJR

**12.06.2024**



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*CrI.O.P.(MD)No.8520 of 2024*

**B.PUGALENDHI,J**

LS

To

- 1.The Superintendent of Police,  
Sivagangai District.
- 2.The Inspector of Police,  
District Crime Branch,  
Sivagangai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

**Order made in**  
**CrI.O.P.(MD)No.8520 of 2024**

**12.06.2024**