



Crl.O.P.(MD)No.14223 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.14223 of 2024

A.Kakkappan @ Deivendran

: Petitioner

Vs.

**1.The Superintendent of Police,
Dindigul Rural Sub Division,
Dindigul District, Dindigul.**

**2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Dindigul District.**

**3.The Inspector of Police,
Natham Police Station,
Dindigul District.**

4.Karthikeyan

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the first respondent to instruct the respondents 3 and 4 not to harass the petitioner under the guise of enquiry without due process of law.

For Petitioner : Mr.A.Prasanna Rajadurai

**For Respondents : Mr.P.Kottai Chamy,
Government Advocate (Criminal Side)
for R1 to R3.**



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ORDER

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This Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders, to direct the first respondent to instruct the respondents 3 and 4 not to harass the petitioner under the guise of enquiry without due process of law.

2. The learned counsel for the petitioner would submit that the petitioner's sister Thenmozhi has sold her undivided share to one Ganjedhiran and on the basis of the complaint given by the petitioner's sister, the fourth respondent/Sub Inspector of Police, Natham Police Station, has been threatening the petitioner to execute the document in favour of the said Ganjedhiran.

3. The learned Government Advocate (Criminal Side) appearing for the State would submit that on the basis of the complaint of the petitioner's sister Thenmozhi, enquiry is pending in current paper.

4. Even according to the learned Government Advocate (Criminal Side), the petitioner's sister Thenmozhi has sold her undivided share of the property to one Ganjedhiran.



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5. Since the dispute is civil in nature, this Court is at loss to understand as to why the complaint came to be entertained and enquiry is kept pending. Considering the above facts and circumstances, the respondents Police are directed not to harass the petitioner under the guise of enquiry.

6. With the above direction, this Criminal Original Petition is disposed of.

29.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
das

To

- 1.The Superintendent of Police,
Dindigul Rural Sub Division,
Dindigul District, Dindigul.
- 2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Dindigul District.
- 3.The Inspector of Police,
Natham Police Station, Dindigul District.
- 4.The Additional Public Prosecutor,



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Madurai Bench of Madras High Court, Madurai.

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K.MURALI SHANKAR,J.

DAS

Order made in
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Dated: 29.08.2024