



Crl.O.P.(MD)No.17217 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.17217 of 2024

Nagarajan

... Petitioner

Vs.

1.State of Tamil Nadu
The Superintendent of Police,
Palani Sub Division,
Dindigul District.

2.The Inspector of Police,
Ayakudi Police Station,
Dindigul District.

3.R.Ramesh Babu

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the respondents 1 and 2 not to interfere into the civil dispute and consequently directing him not to harass the petitioner and their family members under the guise of enquiry without due process of law.

For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondents : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)
for R1 & R2.



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ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders, to direct the respondents 1 and 2 not to interfere into the civil dispute and consequently directing him not to harass the petitioner and their family members under the guise of enquiry without due process of law.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the State.

3. The learned counsel for the petitioner would submit that the third respondent has executed the sale deed in favour of some third party and subsequently, the petitioner has purchased the property and that there is absolutely no basis for lodging the complaint.

4. The learned Government Advocate (Criminal Side) appearing for the State would submit that on the basis of the complaint given by the third respondent, enquiry is pending in current paper.



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5. Taking into account the overall facts and circumstances, the following directions are issued:-

“(a) The second respondent will issue written summons to the petitioner and to the private respondents for causing their appearance before him for enquiry. There is no question of orally summoning the parties to the police station.

(b) The second respondent will conclude the enquiry within a period of two weeks from the date of receipt of a copy of this order.

(c) If at the end of the enquiry, cognizable offence is made out and the second respondent proposes to register any FIR, the petitioner will be given notice of the same so that the petitioner will have breathing time to move the concerned Court for the relief of anticipatory bail.”

6. With the above directions, this Criminal Original Petition stands disposed of.

14.10.2024

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



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K.MURALI SHANKAR,J.

das

To

- 1.The Superintendent of Police,
Palani Sub Division,
Dindigul District.
- 2.The Inspector of Police,
Ayakudi Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.17217 of 2024

Dated: 14.10.2024