



Crl.O.P.(MD)No.19708 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.19708 of 2024

Ramamoorthy

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.State rep., by
The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.

3.State rep., by
The Sub Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar District.

4.Rukmani

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, 2023, to direct the second respondent and his officials not to harass the petitioner and his family members unnecessarily against law under the guise of enquiry on the basis of the petitioner's representation dated 28.10.2024 to the first respondent.



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Crl.O.P.(MD)No.19708 of 2024

For Petitioner : Mr.A.Karthigaivel
For R1 to R3 : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

The petitioner on the complaint of one Rukmani/fourth respondent herein was often called for enquiry and forced by the respondent police to hand over the original document of Rukmani, without disputing her liability. Hence, the petitioner had sent representation on 28.10.2024 to the respondent police, however, no action has been taken. Hence, this present petition.

2. The contention of the petitioner is that the petitioner had agreed to purchase the house property of Rukmani for sale consideration of Rs.9,00,000/-. The petitioner paid Rs.5,00,000/- as advance and it was agreed to pay the balance amount of Rs.4,00,000/-, within short time. Thereafter, she executed a sale deed. In the meanwhile, since the petitioner fell in sick and he incurred heavy expenses, he failed to pay the balance amount. Hence, the said Rukmani lodged a complaint against the petitioner. The grievance of the petitioner is that it is a civil dispute, however, the respondent police not considering the same, called the



Crl.O.P.(MD)No.19708 of 2024

petitioner often on the guise of enquiry and harassed. Further, submitted that the petitioner is ready to hand over the original document to Rukmani.

3. The learned Additional Public Prosecutor appearing for the respondent police would submit that on the complaint of one Rukmani, CSR.No.236 of 2024 assigned on 23.08.2024. The complaint is that the petitioner is retaining the original document of one Rukmani's house property agreeing to purchase her property for sale consideration Rs.9,00,000/-, during May-2024, the petitioner paid Rs.5,00,000/- and it was agreed to pay the balance amount of Rs.4,00,000/- within short period. Thereafter, the petitioner neither pay the balance amount nor return the original document. Rukmani is now unable to sell the property, since the original is with the petitioner. She is also ready to repay the amount to the petitioner, which was paid by him, after sale of property to a third party and collect amount in this regard. After enquiry, the respondent police finding that it is a civil dispute and both of them agreed for arrangement that once the property is sold, money would be repaid to the petitioner. The petitioner has also consented to hand over



Crl.O.P.(MD)No.19708 of 2024

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the original document whenever it is necessary provided that his money was return back to him. Recording the same, the complaint was closed on 06.11.2024.

4. In view of the above development, nothing survives for further adjudication in this petition. Accordingly, this Criminal Original Petition is closed.

NCC : Yes / No

14.11.2024

Index : Yes / No

Rmk

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar, Virudhunagar District.
- 2.The Additional Deputy Superintendent of Police,
Office of the Additional Deputy Superintendent of Police,
Aruppukottai, Virudhunagar District.
- 3.The Inspector of Police,
Aruppukottai Taluk Police Station,
Aruppukottai, Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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Crl.O.P.(MD)No.19708 of 2024

M.NIRMAL KUMAR, J.

Rmk

Order made in
Crl.O.P.(MD)No.19708 of 2024

Dated: 14.11.2024