



CrI.O.P.No.18736 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.18736 of 2025

P.S.Rajan

... Petitioner

Vs.

The State represented by
Inspector of Police
District Crime Branch
Chengalpattu District

... Respondent

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S., to direct the respondent police not to harass the petitioner without following the due process of law.

For Petitioner : Mr.V.Subramanian

For Respondent : Mr.S.Vinoth Kumar

Government Advocate (CrI. Side)

For Defacto Complainant : Mr.N.R.Elango

Senior Advocate



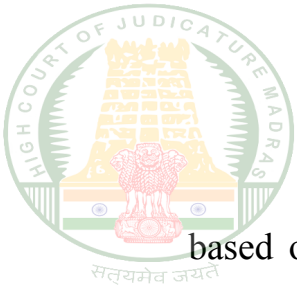
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ORDER

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This Criminal Original Petition has been filed by the petitioner to direct the respondent police not to harass the petitioner without following the due process of law.

2. The case of the petitioner is that the petitioner had acted as a Mediator facilitating the sale of a portion of the property by one Dhanasekaran to one Subramanian/defacto complainant and subsequently, the Patta issued in favour of the defacto complainant was cancelled. Hence, based on the complaint given by the defacto complainant, already enquiry was conducted and after enquiry, the respondent police also filed a closure report. Further, on earlier occasion, the said Dhanasekaran had approached this Court seeking direction to the respondent police not to harass based on the complaint given by the defacto complainant, in which, the learned Additional Public Prosecutor submitted that already the complaint was closed as civil suit is pending and



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based on which, this Court gave a direction to the parties to work out their remedy before the civil Court in the pending civil suit. Even thereafter, the respondent continues to harass the petitioner and his wife by issuing repeated summons. Therefore, the present petition is filed seeking suitable direction to the respondent police.

3. The learned Senior Advocate appearing for the defacto complainant would submit that the respondent police had closed the complaint without conducting proper enquiry with wrong interpretation that the dispute is civil in nature. Therefore, subsequently, the defacto complainant approached this Court by way of filing a petition in W.P.No.15298 of 2025 mentioning all the facts in the affidavit of the writ petition and to issue directions to the respondent police herein to consider his representation dated 01.10.2024 and this Court by order dated 28.04.2025, gave a direction to respondents police to consider the representation based on the complaint given by the defacto complainant.



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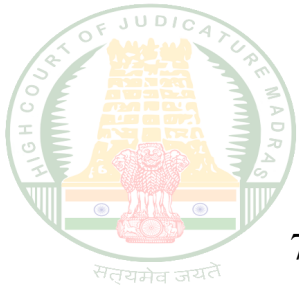
Hence, the respondent police summoned the petitioner. Therefore, there is no merit in this petition and the same is liable to be dismissed.

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4. The learned Government Advocate (CrI. Side) appearing for the respondent police submitted that only based on the directions of this Court in W.P.No.15298 of 2025 dated 28.04.2025, the respondent police summoned the petitioner only for enquiry and there is no question of harassment.

5. Heard both sides and perused the materials available on record.

6. It is seen that only based on the directions given by this Court in W.P.No.15298 of 2025 dated 28.04.2025, the respondent police has issued summons to the petitioner for enquiry. Therefore, it is the duty of the petitioner to co-operate for enquiry/investigation as the case may be and there is no question of harassment. Hence, this Court is not inclined to entertain this petition.



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7. Accordingly, this Criminal Original Petition is dismissed.

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8. The parties are directed to extend their co-operation to the respondent police to complete the enquiry/investigation as the case may be.

03.07.2025

Index : Yes / No
Speaking Order : Yes / No
Neutral Citation Case : Yes/No
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To

1. Inspector of Police
District Crime Branch
Chengalpattu District

2. The Public Prosecutor
High Court of Madras, Chennai.



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P.VELMURUGAN,J.

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