



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-09-2025

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THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 25197 of 2025

1. P.Thangapandian
S/o Ponniah, 5/45, Kottai Mettu Theru,
Kandamanur, Theni.

Petitioner(s)

Vs

1. State Rep by
The Superintendent of Police,
Thiruvarur District.

2.The Inspector of police
Mannargudi Police Station, Thiruvarur
District

3.Anandaraj
No.7, Vaikkal Road, Royal NAGAR,
41A, Lilly Garden Asesham,
Mannargudi.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to issue a direction, directing the 2nd respondent to not to interfere with civil dispute is existing between the petitioner and the 3rd respondent and not to harass the



petitioner under the guise of enquiry regarding the complaint given by the 3rd respondent and pass such further or other orders, as this Hon'ble court may deems fit and proper in the circumstances of the case.

For Petitioner(s): Mr.V.P.Rajan

For Respondent(s): Mr.R.Vinodhreja,
Government Advocate [Crl.Side] – R1 & R2

ORDER

This Criminal Original Petition has been filed to direct the second respondent to not to interfere with civil dispute existing between the petitioner and the third respondent and not to harass the petitioner under the guise of enquiry regarding the complaint given by the third respondent.

2. The case of the petitioner is that the third respondent is a dealer of used vehicles and he approached the petitioner to purchase a JCB in the year 2018 and paid a sum of Rs.7,20,000/-. As there was a delay in getting custody of the vehicle as it was involved in an offence punishable under the Mines and Mineals Act read with Indian Penal Code offences, which lead to preferring of



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the complaint by the third respondent. The further case of the petitioner is that earlier the third respondent preferred a complaint with same allegations and the same has been closed after enquiry. The third respondent is preferring complaints one after other with same allegations to harass the petitioner. The second respondent had assumed the role of the Civil Court and harassing the petitioner. Hence, the present Petition.

3. The learned Government Advocate [Criminal Side] on instructions submitted that enquiry in a current paper is pending against the petitioner and a notice has been issued to the petitioner for enquiry.

4. Such being the position, it is for the investigating agency to issue appropriate notice to the petitioner under Section 35(3) of BNSS for enquiry and on such notice, the petitioner shall appear for enquiry and co-operate with the investigation. If any cognizable offence is made out, the respondent shall register the First Information Report and proceed as per law.



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

of.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Superintendent of Police,
Thiruvavarur District.

2. The Inspector of police
Mannargudi Police Station, Thiruvavarur
District

3. The Public Prosecutor,
High Court, Madras.



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N.SATHISH KUMAR J.

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