



CrI.OP.No.31925 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2025

CORAM:

THE HON'BLE MR.JUSTICE **M.NIRMAL KUMAR**

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Pukraj

...Petitioner

Vs.

1. The Commissioner of Police,
Commissionerate,
Coimbatore City – 641 002.

2. Chelladhurai,
Assistant Commissioner of Police (Crimes),
Commissionerate, West R.S Puram Range,
Coimbatore City – 641 002.

3. P.Banu Rekha

...Respondents

Criminal Original Petition filed under Section 528 of BNSS, 2023, to pass orders restraining the Assistant Commissioner of Police, Commissionerate, West RS Puram, Coimbatore City – 641 002, the 2nd respondent herein from harassing the petitioner in the name of investigation in a civil matter.



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For Petitioner : Dr.A.E.Chelliah, Senior Counsel,
for Mr.K.Ramanujam

For Respondents : Mr.K.M.D.Muhilan, APP, for R1

ORDER

This criminal original petition has been filed seeking to restrain the 2nd respondent from harassing the petitioner in the name of investigation in a civil matter.

2.The learned Senior Counsel appearing for the petitioner submitted that on 05.09.2024, the petitioner entered into a sale agreement with the husband of the 3rd respondent namely, Shrikanth Kalidas, for purchase of a property measuring to an extent of 6.72 acres comprised in S.Nos.246/2, 3 and 245, situated at Thalavaadi Panchayat, Erode District and the petitioner paid a sum of Rs.50,00,000/- as against the total sale consideration of Rs.70,00,000/- in favour of Shrikanth Kalidas. However, the said Shrikanth Kalidas passed away on 04.03.2025, sale could not be executed, thereafter, a



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legal notice caused by the petitioner to the legal heirs of late
Shrikanth

Kalidas to complete the sale and execute sale deed, but not responded, hence, the petitioner filed a suit in O.S.No.571 of 2025 before the learned III Additional District Judge, Gobichettipalayam. While so, false allegations made against the petitioner as though petitioner attempting to grab the land of late Shrikanth Kalidas. He further submitted that the 3rd respondent made such complaint to the 2nd respondent and the 2nd respondent repeatedly called the petitioner under the guise of enquiry, caused harassment and threat. The petitioner sent a representation to the respondents 1 and 2 on 29.09.2025 seeking not to harass on the basis of the false complaint given by the 3rd respondent and to take appropriate action against the 3rd respondent, however, the same was ignored evoked no response. Hence, the petitioner left with no other alternative filed this petition.



3.The learned Senior Counsel further submitted that despite the petitioner having appeared before the 2nd respondent and submitted the

details of sale agreement, payment particulars and gave his explanation and informed pendency of civil suit between the parties in O.S.No.571 of 2025, but the 2nd respondent not inclined to listen the same. On the other hand, the 2nd respondent is continuously calling and harassing the petitioner on the guise of enquiry at the instance of the 3rd respondent and forcing a settlement as per his dictum, not considering the fact that the petitioner is a Senior Citizen and the civil Court is seized of the dispute. The 2nd respondent's act is in total abrasion and in violation of the guidelines issued by the Director General of Police and directions given by this Court. He further submitted that there is a specific direction by the Director General of Police that the Police not to involve or indulge in civil disputes and to refrain themselves from interfering in civil dispute. The 2nd respondent's job

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is only to enforce law and order and to detect criminal cases. When a complaint predominantly is of civil dispute, the same not to be entertained.

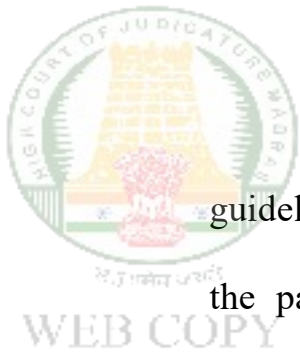
Contrary to

the said direction, calling the petitioner and forcing his attendance before the

2nd respondent at the instance of the 3rd respondent, is nothing but an harassment. He also submitted that the suit in O.S.No.571 of 2025 is posted on 27.11.2025.

4.Learned Additional Public Prosecutor appearing for the 1st respondent submitted that based on the complaint given by the 3rd respondent, enquiry conducted on receipt of current paper. He further submitted that the Police officials are instructed by the Director General of Police restraining Police from entertaining the complaint of civil in nature in Circular No.126303/Cr.I(1)/2008 dated 04.12.2008. He further submitted that recently the Additional Director General on 09.01.2024 issued similar

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guidelines that even in the case of current paper, without issuance of notice, the parties cannot be forcibly summoned and if the contention of the petitioner with regard to the pendency of the civil dispute is true, no further action will be taken by the Police officials. He fairly submitted that, in any event, the petitioner will not be unnecessarily harassed under the guise of enquiry. If requires appropriate notice/summons will be issued henceforth.

5.Recording the above submission made by the learned Additional Public Prosecutor, this Criminal Original Petition stands disposed of with a direction to the respondents 1 and 2 not to harass the petitioner under the guise of enquiry.

6.It is made clear that, if the matter pertains to a pure civil dispute between the parties, the respondents 1 and 2 shall refrain themselves from interfering with the same.

24.11.2025

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Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

Note to office: Issue order copy on 27.11.2025.

To:

1. The Commissioner of Police,
Commissionerate,
Coimbatore City – 641 002.
2. The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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