



Crl.O.P.(MD)No.572 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.572 of 2025

Baskar

... Petitioner

Vs.

1.The State of Tamil Nadu rep.by
The Superintendent of Police,
Viruthunagar District, Virudhunagar.

2.The Additional Deputy Superintendent of Police,
Sattur, Viruthunagar District.

3.The Inspector of Police,
Crime Branch Police Station,
Viruthunagar District.

4.Balaji

5.Sundarrajan

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S., to direct the second and third respondent police not to harass the petitioner in the guise of enquiry and consequently direct the second respondent to follow the circular in C.No.18/ADGP/L&O/Camp/2024 dated 09.01.2024.

For Petitioner
For R1 to R3

: Mr.N.Jeyaram Sidharth
: Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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ORDER

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The petitioner has filed this petition seeking a direction to the second and third respondent police not to harass the petitioner in the guise of enquiry.

2.The contention of the petitioner is that the petitioner had lodged a complaint against the fourth respondent and the case in Crime No.277 of 2023 had been registered for the offence under Sections 120B, 294(b), 506(ii) & 109 IPC r/w Section 3 of TNPPDL Act. The fourth respondent is a dismissed police Inspector. He made a complaint as though the petitioner's father had purchased a property deceiving him and the second respondent, who is enquiring the matter is a batch-mate of the fourth respondent, hence, the second respondent is forcing the petitioner to cancel the sale deed.

3.The learned counsel for the petitioner submitted that the father of the petitioner had purchased the subject property. In fact, the fourth respondent had made a complaint initially and the same was dismissed. Now, using his influence, the fourth respondent is attempting to get the property by force. The petitioner had earlier appeared for enquiry on



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25.11.2024 and 02.01.2025 and the gave his explanation and submitted all necessary documents. However, still in the guise of enquiry, he has been harassed and forced to yield to the demand of fourth respondent.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that on the complaint of the petitioner, a case has been registered in Crime No.172 of 2023. Now the fourth respondent has given a representation to the Superintendent of police making certain allegations against the petitioner. Hence, to verify the same, the petitioner was called for enquiry. There was no coercion, threat or harassment to the petitioner as alleged by the petitioner.

5.Admittedly, the fact that the fourth respondent is the dismissed police official and the fourth respondent is the batch-mate of the second respondent is not seriously disputed. It is also stated that the investigation in this case is completed and charge sheet is made ready.

6.Considering the facts and circumstances of the case, this Court finds it appropriate to direct the first respondent/Superintendent of Police to enquire the complaint of the fourth respondent and also to ensure that the case in Crime No.272 of 2023 is investigated properly. The



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petitioner is directed to appear before the Superintendent of Police on 10.02.2025 for enquiry. The respondent police shall also ensure the appearance of the fourth respondent on that date.

7.With this direction, this Criminal Original Petition is disposed of.

10.01.2024

NCC : Yes / No
Index : Yes / No
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To

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- 2.The Additional Deputy Superintendent of Police,
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- 3.The Inspector of Police,
Crime Branch Police Station,
Viruthunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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