



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.02.2025

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THE HONOURABLE **MR.JUSTICE P.DHANABAL**

Crl.O.P(MD)No.2376 of 2025

Thangadurai
S/o.Vijay Raj

... Petitioner

Vs

1. The State Represented by its
The Superintendent of Police,
Theni District,
Theni.

2. The Deputy Superintendent of Police,
Theni,
Theni District.

3. The Inspector of Police,
Allinagaram Police Station,
Theni District.

4. Tamil Chezilan

... Respondents

PRAYER: Criminal Original petition filed under Section 528 of BNSS Act, to direct the respondent Nos.1 and 2 to instruct the third respondent not to interfere with civil dispute and not to harass the petitioner and his family members under the guise of the enquiry without following due process of law.



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For Petitioner : Mr.K.Dinesh
For Respondent Nos.1 to3 : Mr.R.M.Anbunithi
Additional Public Prosecutor
For Respondent No.4 : Mr.H.Thayumangaswamy

ORDER

This Criminal Original Petition has been filed by the petitioner to direct the respondent Nos.1 and 2 to instruct the third respondent not to interfere with civil dispute and not to harass the petitioner and his family members under the guise of the enquiry without following due process of law.

2. According to the petitioner, there is a civil dispute pending between the petitioner and the fourth respondent. The fourth respondent lodged a complaint regarding the said property dispute. Based upon the said complaint, the third respondent used to harass the petitioner frequently, and he directed the petitioner to appear before him. Already, the petitioner had appeared before the 3rd respondent police and produced all the relevant records and documents. But, the third respondent is still continuing to harass the petitioner under the guise of enquiry. Therefore, the present Criminal Original Petition has been filed.



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3. The learned Additional Public Prosecutor appearing for the 1 to 3 respondents would submit that based upon the compliant given by the fourth respondent, the respondent police issued CSR.No.56 of 2025 and issued summon to the petitioner to appear before the respondent police for enquiry.

4. The learned Counsel appearing for the fourth respondent would submit that the fourth respondent is the owner of the property and he executed a power deed in favour of the petitioner and the petitioner failed to pay any amount to the fourth respondent and he cheated the fourth respondent. Therefore, the fourth respondent lodged a complaint before the third respondent. Hence, he prayed for dismissal of the present Criminal Original Petition.

5. Heard both side and perused the available material on record.

6. In this case, it is the admitted fact that there is a property dispute pending between the petitioner and the fourth respondent. According to the fourth respondent, he executed a power deed in favour of the petitioner.



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The petitioner has not paid any amount to the fourth respondent and thereby the fourth respondent lodged a complaint before the 3rd respondent police.

On receipt of the said complaint, the third respondent police assigned CSR.No.56 of 2025 and issued summons to the petitioner, for enquiry.

7. In the above said circumstances and recording the submissions of the learned Additional Public Prosecutor, it is appropriate to direct the third respondent to complete the enquiry in accordance with within a period of two weeks from the date of receipt of a copy of this order. Accordingly ordered.

8. With the above said observations, this Criminal Original Petition stands disposed of.

07.02.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
gvn



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To

1. The Superintendent of Police,
Theni District,
Theni.
2. The Deputy Superintendent of Police,
Theni,
Theni District.
3. The Inspector of Police,
Allinagaram Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

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