



Crl.O.P.(MD) No.2664 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2025

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THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD)No.2664 of 2025

Siva Shankar

... Petitioner

Vs

1. The State of Tamil Nadu,
Represented by the Superintendent of Police,
Madurai District.

2. The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

3. The Circle Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.

4. The Sub Inspector of Police,
Perungudi Police Station,
Madurai District.

5. P.Jeyaraman

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to give appropriate



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direction to the 4th respondent thereby not to harass the petitioner in the case of civil disputes as enquiry with the retribution motivation of the 5th respondent.

For Petitioner : Mr.M.Laxmi Mahendraa

For Respondent :

For R1 to R4 :Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl. Side)

ORDER

This criminal original petition is filed by the petitioner to direct the 4th respondent not harass the petitioner regarding civil dispute.

2. According to the petitioner, the properties in S.F.No.157/1B, 157/2B1, 157/3 and 154/1 to an extent of 2 acres 13 cents situated at Solankuruni Village, Madurai South Taluk. Originally belongs to the petitioner through his father and a partition suit is pending in O.S.No. 1048 of 2023 on the file of Principal Sub Court No.III, Madurai between the petitioner and his father's brother. While so, the 5th respondent claiming that he purchased the property from the brother of the petitioner's father and caused disturbance to the petitioner. Thereafter, the petitioner sent a representation to the District Registrar, Madurai and passed orders. While so, the petitioner gave a complaint to the 3rd respondent in



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C.S.R.No.83 of 2024 and the same was enquired and closed with an endorsement that the parties have to approach the Civil Court. In the mean time, again on 04.02.2025 at 5.00 p.m, the 5th respondent trespassed into the petitioner's properties and tried to attack the petitioner and made life threat. In the mean time, the 5th respondent also lodged a complaint before the 4th respondent as against this petitioner. Based on the complaint, the respondent police used to harass the petitioner under the guise of enquiry by interfering in the civil dispute. Therefore, the preset petition is filed.

3. The learned Additional Public Prosecutor (Criminal Side) appearing for the respondents no.1 to 4 would submit that based on the complaint given by the 5th respondent, they issued C.S.R.No.39 of 2025 and the same is under enquiry. They will complete the enquiry within one week. Based on the complaint given by the 5th respondent, they called the petitioner for enquiry, but they have not harassed the petitioner as alleged in the petition.

4. Considering the limited scope of the prayer of this petition and also the representation of the learned Additional Public Prosecutor that



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C.S.R.39 of 2025 is pending for enquiry, this Court directs the 3rd

respondent to complete the enquiry within one weeks from the date of this

Order. No costs.

13.02.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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To

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3. The Circle Inspector of Police,
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4. The State of Tamil Nadu,
Represented by the Sub Inspector of Police,
Perungudi Police Station,
Madurai District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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P.DHANABAL, J.

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