



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.02.2025

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

Crl.O.P(MD)No.3058 of 2025

R.Arunachala Nadar

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by the Superintendent of Police,
Tenkasi District.

2. The Inspector of Police,
Alangulam Police Station,
Tenkasi District.

3. Selvaraj

4. Deivaraja

... Respondents

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to direct the second respondent not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr. A.Sankararamasubramanian

For R1 and R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed seeking a direction to the second respondent not to harass the petitioner under the guise of enquiry.

2. According to the petitioner, he is the owner of the property in several survey numbers in Poolangulam Village, Alangulam Taluk, Tenkasi District. While so, one Vadivel Nadar has filed a partition suit in O.S.No. 381 of 2012, before the District Munsif Court, Tenkasi and the same was partly decreed on 18.04.2018 and thereafter, first appeal was filed and the same was also dismissed. Then, second appeal was filed in S.A(MD)SR.No.37328 of 2022 before this Court, which is pending for adjudication. In the mean time, the third respondent has lodged a complaint before the second respondent. Based on that complaint, the second respondent insisted the petitioner to appear frequently. Therefore, he sent a representation, dated 10.02.2025 to the first respondent and the same was not considered. Hence, this petition has been filed.



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3.The learned Additional Public Prosecutor appearing for the respondent police would submit that based on the complaint lodged by the third respondent, C.S.R.No.173 of 2025 was assigned and already summons was served to the petitioner. The petitioner has also appeared and sought for some time to produce the documents. During enquiry, the second respondent has not harassed any body, but with false allegations, the petitioner has filed this petition. Already, he sent a representation, dated 10.02.2025 and the same is also under consideration. Therefore, they will dispose of the representation of the petitioner, dated 10.02.2025 within one week.

4.Considering the limited scope of prayer sought for in this petition, this Court, without even issuing notice to the respondents 3 and 4, is inclined to dispose of this petition.

5.Since the petitioner's representation, dated 10.02.2025 is under consideration before the second respondent, the second respondent is directed to complete the enquiry within a period of one week from the date of this order.



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7. It is needless to mention that if the matter is purely civil in nature, the respondent police need not to interfere with the civil dispute as per the circular issued by the Director General of Police, Tamil Nadu, in this regard.

19.02.2025

Internet : Yes
Index : Yes/No
NCC : Yes/No
LR

To

1. The Superintendent of Police,
Tenkasi District.

2. The Inspector of Police,
Alangulam Police Station,
Tenkasi District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P. DHANABAL, J.

LR

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