

Crl.O.P.(MD)No.3444 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :24.02.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD)No.3444 of 2025

P.Rajendran

... Petitioner

Vs.

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

2. The Deputy Superintendent of Police,
Thiruvaidaimaruthur,
Thanjavur District.

3. The Inspector of Police,
Thirupanthal Police Station,
Thanjavur District.

4. P.A. Jannathgani

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the 3rd respondent not to harass the petitioner under the guise of enquiry by considering the petitioners representation dated 12.02.2025.



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For Petitioner : Mr.T.Eashwar

For R-1 to R-3 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This petition has been filed by the petitioner to direct the 3rd respondent not to harass the petitioner under the guise of enquiry by considering the petitioner's representation dated 12.02.2025.

2. According to the petitioner, there is a civil dispute pending between the petitioner and the 4th respondent, thereby the 3rd respondent colluding with the 4th respondent, insisted the petitioner to handed over the possession of the property to the 4th respondent. Therefore, he has filed this petition.

3. The learned Government Advocate (Criminal) appearing for the respondents no.1 to 3 would submit that already this Court in Crl.O.P. (MD)No.487 of 2025 dated 04.02.2025 passed an order to dispose the petitioner's representation dated 13.12.2024. Therefore, they have issued summon to the petitioner, but the petitioner without appearing for the summon has filed this petition by making false allegations as against the 3rd



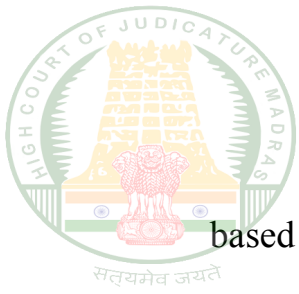
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respondent. The 3rd respondent police have never insisted the petitioner to hand over the possession of the property as alleged by the petitioner.

4. The learned counsel appearing for the 4th respondent would submit that he had already got a decree in his favour and sought for police protection and the Court passed an order in Crl.O.P.(MD)No.487 of 2025 dated 04.02.2025 by directing the 3rd respondent to consider the representation of the petitioner dated 13.12.2024 and therefore, the police sent summon to the petitioner. The 4th respondent has already got decree in his favour, therefore, in order to evade from the execution of the decree, the petitioner has filed this petition .

5. This Court heard both sides and perused the records.

6. In this case, the prayer of the petitioner is to direct the 3rd respondent not to harass the petitioner under the guise of enquiry. The 3rd respondent have issued summon to the petitioner based on the order of this Court to conduct an enquiry on the representation of the 4th respondent dated 13.12.2024, but the petitioner has not appeared before the 3rd respondent. However, the 3rd respondent has stated that they have not harassed the petitioner and not interfered with the civil dispute and only



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based on the order of this Court for conducting an enquiry, they have called the petitioner.

7. Recording the above said submissions of the 3rd respondent, this criminal original petition is closed.

24.02.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

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P. DHANABAL, J.,

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To

1. the Superintendent of Police,
Thanjavur,
Thanjavur District.
2. The Deputy Superintendent of Police,
Thiruvidadaimaruthur,
Thanjavur District.
3. The Inspector of Police,
Thirupanthal Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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