



Crl.O.P(MD)No.3898 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.3898 of 2025

Kalaivanan

... Petitioner

Vs

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

2. The Deputy Superintendent Of Police,
Melur Division,
Madurai District.

3. The Inspector of Police,
Kottampatti Police Station,
Madurai District.

4. Sivakumar

5. Nathiya

6. Priya

... Respondents

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to issue a direction, directing the 1st and 2nd respondents not to harass the petitioner under, the guise of the enquiry conducted by



Crl.O.P(MD)No.3898 of 2025

the 3rd respondent based on the complaint 4th to 6th respondents and consider this petitioner's representation dated 21.02.2025.

For Petitioner : Mr.Kannan Gurusami,
For R1 to R3 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)
For R4 to R6 : Mr.R.Anandaraj

ORDER

This Criminal Original Petition has been filed seeking a direction to the first and second respondents not to harass the petitioner under, the guise of the enquiry conducted by the third respondent based on the complaint respondents 4 to 6 and consider this petitioner's representation dated 21.02.2025.

2.According to the petitioner, there is a land dispute pending between the petitioner and the private respondents, thereby, respondents 4 to 6 restrained the petitioner from entering the pathway and also tried to lay fence over the property and thereby, he lodged a complaint before the third respondent and the same has not been considered and therefore, the petitioner sent the representation dated 21.02.2025, but the same has



CrI.O.P(MD)No.3898 of 2025

also not been considered. Hence this petition.

WEB COPY

3.The learned Government Advocate (CrI.Side) appearing for the respondent police would submit that there is a property dispute between the petitioner and the private respondents. The petitioner lodged a complaint against them and the private respondents have also lodged a counter complaint against the petitioner and thereby, C.S.R.Nos.65 and 90 of 2025 are pending for enquiry. Since the dispute is in respect of immovable property, they will conduct enquiry and dispose of the same, within one week.

4.The learned Counsel for the respondents 4 to 6 would submit that the property belongs to the fourth respondent and already the petitioner filed a suit in O.S.NO.408 of 2019 on the file of the Sub ordinate Judge, Melur and the same is pending. In that suit, the petitioner already filed a petition seeking interim injunction and the fourth respondent has filed a petition to reject the plaint and the same was allowed. While so, suppressing the facts, the petitioner has filed this petition. Therefore, this petition is liable to be dismissed.



Crl.O.P(MD)No.3898 of 2025

5.Heard both sides and perused the records.

WEB COPY

6.According to the official respondents, they have called the petitioner for enquiry purpose with regard to the C.S.R.No.65 and 90 of 2025 and they have not harassed the petitioner. Therefore, recording the same, this Criminal Original Petition is disposed of.

03.03.2025

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

To

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

2. The Deputy Superintendent Of Police,
Melur Division,
Madurai District.

3. The Inspector of Police,
Kottampatti Police Station,
Madurai District.

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



WEB COPY



Crl.O.P(MD)No.3898 of 2025

P. DHANABAL, J.

LR

Crl.O.P(MD)No.3898 of 2025

03.03.2025