



Crl.O.P(MD)No.5128 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD)No.5128 of 2025

Pugalenth

... Petitioner

Vs.

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

2.The Inspector of Police,
Natchiyarkovil Police Station,
Natchiyarkovil,
Thanjavur District.

3.Gowri

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S., 2023, to direct the respondents 1 and 2 police not to interfere into the civil dispute and consequently directing him not to harass the petitioner and his family members under the guise of enquiry without due process of law and pass such other or further orders as this Court.



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For Petitioner : Mr.S.Prabha

For R-1 & R-2 : Mr.M.Sakthi kumar
Government Advocate (Crl. Side)

ORDER

This petition has been filed by the petitioner to direct the respondents 1 and 2 police not to interfere into the civil dispute and consequently directing him not to harass the petitioner and his family members under the guise of enquiry.

2. According to the petitioner, there is a civil dispute pending between the petitioner and the third respondent. While so, the third respondent wanted to survey the property and fix boundary stones. Thereby, she approached this Court and this Court also directed to conduct survey with the police protection and the survey was conducted and boundary stones were also fixed. This Court while dispose of the petition filed by the third respondent for fixing the survey stones, categorically stated that if the petitioner want to put up fencing and if there is any objection from any private party, fencing can be put up only after



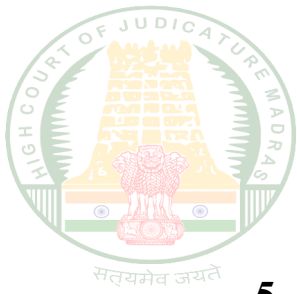
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the petitioner gets decree from the jurisdictional civil Court. While so, now the third respondent want to put up fence with the power of police. Therefore, the second respondent frequently called the petitioner and thereby, the petitioner filed this petition.

3. The learned Government Advocate (Crl. Side) appearing for the official respondents would submit that the third respondent lodged a complaint against the petitioner alleging that already she fixed boundary stones after obtaining order from this Court in the presence of the petitioner. Thereafter, the petitioner removed and damaged the boundary stones. Thereby, lodged a complaint. For that purpose, they called the petitioner for enquiry. Therefore, they have not harassed the petitioner as alleged by him. They will conduct enquiry and dispose of the same within a week.

4. Considering the limited scope of prayer sought for in this petition, this Court even without issuing notice to the third respondent inclined to pass orders in this petition.



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5. According to the petitioner, the respondents 1 and 2 interfering with the civil dispute and thereby, filed the petition. The second respondent denied the interference in the civil dispute. However, based on the complaint given by the third respondent, they called the petitioner for enquiry. Therefore, recording the above said submission of the second respondent, this Court directs the second respondent to conduct enquiry based on the complaint of the third respondent within a week and act in accordance with law. It is needless to mention that if the prayer is to fence the land, the third respondent has to approach the civil Court as directed by this Court in W.P(MD)No.15754 of 2024.

6. With the above said observations and directions, this Criminal Original Petition stands disposed of.

20.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



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- 1.The Superintendent of Police,
Thanjavur District,
Thanjavur District.
- 2.The Inspector of Police,
Natchiyarkovil Police Station,
Natchiyarkovil,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

BTR

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