



Crl.O.P.(MD)No.5774 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.03.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD) No.5774 of 2025

Sornanathan

... Petitioner

Vs.

1. The Superintendent of Police,
Tenkasi District.

2. The Deputy Superintendent of Police,
Alangulam,
Tenkasi District.

3. The Inspector of Police,
Kadayam Police Station,
Tenkasi District.

4. Kumerasan

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to direct the respondents 2 and 3 not to
harass the petitioner in this guise of enquiry.

For Petitioner : Mr.A.Balakrishnan

For R-1 to R-3 : Mr.M.Sakthi Kumar

Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner to



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direct the respondents no. 2 and 3 not to harass the petitioner in this guise of enquiry.

2. According to the petitioner, there is a money dispute pending between the petitioner and the 4th respondent and thereby, the 4th respondent lodged a complaint against the petitioner. Taking advantage of the same, the 3rd respondent insisted the petitioner to settle the amount, which is purely civil in nature. Therefore, the petitioner sent a representation dated 08.03.2025, but the same has not been considered. Hence this petition.

3. The learned Government Advocate (Criminal Side) appearing for the respondents no.1 to 3 would submit that earlier the 4th respondent lodged a complaint against the petitioner and an enquiry was conducted. During the enquiry, the petitioner gave an undertaking to repay the amount and thereafter, he has not repaid the amount. Therefore, again the 4th respondent approached the 1st respondent and the 1st respondent has forwarded the complaint to the 3rd respondent for enquiry and the 3rd respondent called the petitioner for enquiry purpose. Apart from that, there is no harassment made by the 3rd respondent.

4. Considering the prayer sought for in this petition, this Court



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without even issuing notice to the 4th respondent inclined to pass orders.

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5. The prayer of the petitioner is to not to harass the petitioner, but the 4th respondent lodged a complaint before the 1st respondent and the same was forwarded to the 3rd respondent and thereby, the 3rd respondent called the petitioner for enquiry. Therefore, it is for the 3rd respondent to complete the enquiry in accordance with law. It is needless to mention that if the matter is pertaining to civil dispute, the 3rd respondent has to follow the circular issued by the higher authorities in this regard. In view of the same this Court directs the 3rd respondent to complete the enquiry on the complaint of the 4th respondent and also consider the representation of the petitioner dated 08.03.2025 in accordance with law, within a period of one week from the date of this order.

6. With the above said observation and direction, this criminal original petition is disposed of.

28.03.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

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P. DHANABAL, J.

Mac

To

1. The Superintendent of Police,
Tenkasi District.
2. The Deputy Superintendent of Police,
Alangulam, Tenkasi District.
3. The Inspector of Police,
Kadayam Police Station,
Tenkasi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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