



Crl.O.P.(MD)No.5840 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.03.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD) No.5840 of 2025

Rajkumar

... Petitioner

Vs.

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

2. The Inspector of Police,
District Crime Branch,
Tenkasi.
(In Crime No.Unknown).

3. Rajeshwari

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023, directing the respondent police to not to
harass the petitioner in the guise of an enquiry.

For Petitioner : Mr.V.Karthikeyan

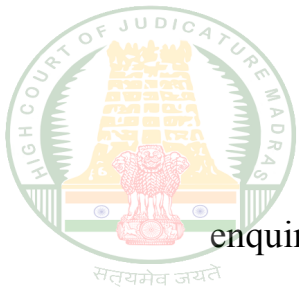
For R-1 & R-2 : Mr.M.Sakthi Kumar

Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner to

<https://www.mhc.tn.gov.in/> direct the respondent police to not to harass the petitioner in the guise of



Crl.O.P.(MD)No.5840 of 2025

enquiry.

WEB COPY

2. The learned counsel appearing for the petitioner would submit that the petitioner is the owner of the property in Survey Nos.358/1, 358/6A, 359/2, 359/6, 356/4 and 360/2 to an extent of 67 cents and he purchased the said property on 22.06.2022 from one Chellathai and he is in possession and enjoyment of the property. While so, the 3rd respondent lodged a complaint against the petitioner for the same property in S.F.No. 358/6A. Taking advantage of the same, the 2nd respondent called the petitioner frequently by interfering in the civil dispute.

3. The learned Government Advocate (Criminal Side) appearing for the respondents no.1 and 2 would submit that the 3rd respondent has purchased the property in the year 2010 and for the same property, the petitioner got sale deed in the year 2022. Therefore, based on the complaint given by the 3rd respondent, they called the petitioner for enquiry, but the petitioner without appearing for enquiry has filed this petition and they have not harassed the petitioner as alleged by him.

4. Considering the prayer sought for in this petition, this Court without even issuing notice to the 3rd respondent inclined to pass orders.



Crl.O.P.(MD)No.5840 of 2025

WEB COPY

5. According to the 2nd respondent police, based on the compliant given by the 3rd respondent, they called the petitioner for enquiry. While so, it is for the petitioner to appear for enquiry and thereafter, the 2nd respondent has to complete the enquiry in accordance with law. In view of the same, this Court directs the petitioner to appear before the 2nd respondent police on 05.04.2025 with all the relevant records and thereafter, the enquiry has to be completed within a period of one week.

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

Mac



WEB COPY



Crl.O.P.(MD)No.5840 of 2025

P. DHANABAL, J.

Mac

To

1. The Superintendent of Police,
Tenkasi District,
Tenkasi.

2. The Inspector of Police,
District Crime Branch,
Tenkasi.

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

Crl.O.P.(MD) No.5840 of 2025

28.03.2025