



CRL.OP(MD) No.5919 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. O.P(MD) No.5919 of 2025

S. Muthukumar

... Petitioner

Vs.

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

2. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

3. Sathayee

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to direct the 2nd respondent not to harass the petitioner by interfering into the civil dispute between the petitioner and the 3rd respondent in the guise of enquiry on the complaint of the 3rd respondent.

For Petitioner : Mr.R.Gowrishankar

For R1 and R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)



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ORDER

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2. According to the petitioner, there is a property dispute pending between the original owner of the property, namely one Maheswari and the 3rd respondent in respect of sale of the property through agreement. While so, the 3rd respondent lodged a complaint against the petitioner and the petitioner was acted as middle man for the sale of the above said property. Already the 3rd respondent paid some amount of money to the owner of the property for redeeming the mortgage and thereafter, due to misunderstanding between the original owner and the 3rd respondent, some dispute arose and thereby, the 3rd respondent lodged a complaint against the petitioner. The petitioner is only the middle man in this case and the 2nd respondent is interfering with the civil dispute and harassed the petitioner. Therefore, he has filed this petition.

3. The learned Government Advocate (Criminal Side) appearing for



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the respondents no.1 and 2 would submit that based on the complaint given by the 3rd respondent against the petitioner and one Maheswari, who is the owner of the property, alleging that they received the amount for the sale of the property and thereafter, they failed to sell the property to the 3rd respondent, per contra, they sold the property to some other persons. Therefore, for enquiry purpose, they called the petitioner. However, they will conduct enquiry and dispose of the complaint of the 3rd respondent in accordance with law.

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

5. According to the petitioner, the 2nd respondent is interfering in the civil dispute, but the 2nd respondent denied the same and based on the complaint lodged by the 3rd respondent, they called the petitioner for enquiry and now the enquiry is pending. Therefore, recording the above said submission of the 2nd respondent, this Court directs the petitioner to appear for enquiry on 12.04.2025 and thereafter, the 2nd respondent has to dispose of the complaint of the 3rd respondent in accordance with law after



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affording an opportunity to both the parties within fifteen [15] days.

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6. With the above said observation and direction, this Criminal
Original Petition is disposed of.

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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P.DHANABAL, J.

Mac

To

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

2. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

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

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