



CRL.OP(MD) No.6932 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. OP(MD) No.6932 of 2025

1. M.Senkuttuvan

2. G.Sivanesan

... Petitioners

Vs.

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

2. The State of Tamil Nadu,
Represented by the Deputy Superintendent of Police,
District Crime Branch – II,
Madurai District.

3. The State of Tamil Nadu,
Represented by the Inspector of Police,
District Crime Branch-II,
Madurai.

4. Vengateshwaran

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to direct the 1st respondent to the 3rd respondent not to harass the petitioners on the guise of enquiry based on the complaint given by the 4th respondent.



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For Petitioners : Mr. S.Sivaprakash

For R1 to R3 : Mr.M.Sakthi Kumar

Government Advocate (Crl. Side)

ORDER

This petition has been filed by the petitioners to direct the 3rd respondent not to harass the petitioners on the guise of enquiry based on the complaint given by the 4th respondent.

2. According to the petitioners, there is property dispute between the petitioners and the 4th respondent and thereby, the 4th respondent lodged a complaint against the petitioners for the property dispute. Based on the same, the 3rd respondent frequently called the petitioners for enquiry. Already the petitioners appeared four times for enquiry, in spite of that, they frequently called the petitioners. Therefore, they sent a representation dated 24.03.2025 to the respondents no.3, 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 the 4th respondent lodged a complaint alleging that the petitioners created a forged power of attorney



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in the name of the deceased person and thereafter executed sale deed and thereby, the 4th respondent lodged a complaint. Based on the complaint, they called the petitioners for enquiry. The petitioners have also appeared for enquiry and thereafter, they assured to cancel the sale deed executed by them and thereafter, they have not cancelled the sale deed and they filed a civil suit. Therefore, the complaint of the 4th respondent is still pending. For enquiry purpose only they called the petitioners and apart from that, they have not harassed the petitioners.

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

5. According to the petitioners, the 3rd respondent harassed the petitioners on the guise of enquiry based on the complaint lodged by the 4th respondent. The 3rd respondent has also admitted the receipt of the complaint from the 4th respondent and only for enquiry purpose, they called the petitioners. Therefore, recording the above said submission of the learned Government Advocate that they have not harassed the petitioners and they called the petitioners only for enquiry purpose, this



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Court directs the 3rd respondent to conduct enquiry on the 4th respondent's complaint as well as the representation of the petitioners 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.

17.04.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
Mac

To

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

2. The Deputy Superintendent of Police,
District Crime Branch – II,
Madurai District.

3. The Inspector of Police,
District Crime Branch-II,
Madurai.

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



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P.DHANABAL, J.

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