



CRL.OP(MD) No.6668 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. OP(MD) No.6668 of 2025

Baiju

... Petitioner

Vs.

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2. The Inspector of Police,
District Crime Branch,
Nagercoil,
Kanyakumari District.

3. The Inspector of Police,
Kalaikkavilai Police Station,
Kanyakumari District.

4. Ratheesh Kumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to issue a direction directing the respondents 2 and 3 not to harass the petitioner and her family members by interfering in the civil dispute.



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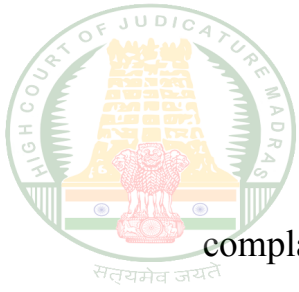
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For Petitioner : Mr.A.Balakrishnan
For R1 to R3 : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl. Side)
For R4 : Mr.R.Maheswaran

ORDER

This petition has been filed by the petitioner to direct the respondents no.2 and 3 not to harass the petitioner and his family members by interfering in the civil dispute.

2. According to the petitioner, there is a dispute between the petitioner and the 4th respondent in respect of the sale agreement dated 24.05.2023. While so, the 4th respondent lodged a false complaint against the petitioner before the 3rd respondent and taking advantage of the same, the 3rd respondent now harassing the petitioner. Already, the petitioner filed a suit in O.S.No.37 of 2023 on the file of the District Court, Kanyakumari District at Nagercoil and the same is pending. The 4th respondent has also entered into appearance in that suit. While so, suppressing the same and already the same 4th respondent lodged a complaint before the same police station and the same was closed after enquiry. However, once again for the same dispute, he lodged a false



CRL.OP(MD) No.6668 of 2025

complaint. Therefore, the petitioner sent a representation dated 28.03.2025 to the respondents no.1, but the same has not been considered.

Hence this petition.

3. The learned counsel appearing for the 4th respondent would submit that the petitioner has stolen the 4th respondent documents and thereby, he lodged a complaint. For that, the 3rd respondent called the petitioner for enquiry. The earlier complaint lodged by the petitioner was not closed and the same was forwarded to the District Crime Branch for enquiry and the same is pending. Therefore, the 4th respondent has also filed a writ petition in W.P.(MD) No. 3687 of 2025, wherein this Court directed the respondent police to conduct enquiry and take appropriate action in accordance with law.

4. The learned Additional Public Prosecutor (Criminal Side) appearing for the respondents no.1 to 3 would submit that the 4th respondent lodged a complaint against the petitioner and thereafter, 4th respondent filed a writ petition before this Court in W.P.(MD) No.3687 of 2025 dated 12.02.2025, wherein this Court directed the respondent police to conduct enquiry based on the complaint of the 4th respondent and



CRL.OP(MD) No.6668 of 2025

dispose the same. Therefore, based on the order passed by this Court, they called the petitioner for enquiry, but the petitioner has not appeared and filed this petition. Therefore, they will conduct enquiry and pass orders and dispose of the same as directed by this Court.

5. 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.

6. According to the petitioner, the respondents no.1 to 3 harassed the petitioner by interfering with the civil dispute. According to the respondents no.1 to 3, they have not harassed the petitioner. Only based on the complaint lodged by the 4th respondent, they called the petitioner for enquiry as directed by this Court in W.P.(MD) No.3687 of 2024 dated 12.02.2025. Therefore, recording the above said submission of the learned Additional Public Prosecutor, this criminal original petition is closed.

09.04.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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CRL.OP(MD) No.6668 of 2025

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Madurai Bench of Madras High Court, Madurai.



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CRL.OP(MD) No.6668 of 2025

P.DHANABAL, J.

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CRL. OP (MD) No.6668 of 2025

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