



CRL.OP(MD) NO.7491 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. O.P(MD) No.7491 of 2025

S.Nithiyananthamoorthy

... Petitioner

Vs

1.The State of Tamil Nadu
rep. by the Superintendent of Police,
O/o. the Superintendent of Police,
Madurai.

2. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.

4. S.Vijayakumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to direct the second respondent not to harass the petitioner under the guise of enquiry.

For petitioner :Mr.S.Senthil

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



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ORDER

This petition is filed by the petitioner to direct the second respondent not to harass the petitioner under the guise of enquiry.

2. The learned counsel for the petitioner would submit that there is a civil dispute pending between the petitioner and third respondent, who is none other than, the brother of the petitioner in respect of partition over the property. Thereby, a suit in O.S.No.358 of 2022 was filed by the petitioner before the learned VI Additional District Court, Madurai and the same is pending. While so, the third respondent lodged a complaint before the second respondent against the petitioner. Taking advantage of the same, the second respondent insisted the petitioner to vacate the premises. Therefore, he sent a representation dated 18.04.2025, but the same has not been considered. Hence, he filed this petition.

3. The learned Government Advocate (Crl.Side) for the respondents 1 and 2 would submit that there is a civil dispute pending between the petitioner and third respondent regarding the property, which belonged to their father. Now, the petitioner occupied the entire property and thereby,



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the third respondent lodged a complaint before the second respondent. For enquiry purpose, the second respondent called the petitioner and they have not harassed the petitioner and not insisted the petitioner to vacate the premises.

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

5. According to the petitioner, the second respondent harassed the petitioner by insisting him to vacate the premises and the same was denied by the second respondent and based on the complaint lodged by the third respondent, they called the petitioner for enquiry. Apart from that, they have not harassed the petitioner.

6. Therefore, recording the abovesaid submission of the learned Government Advocate (Crl.Side), this Criminal Original Petition is closed.

24.04.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
apd



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To

1. The Superintendent of Police,
O/o. the Superintendent of Police,
Madurai.
2. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P.DHANABAL,J

apd

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