



Crl.O.P(MD)No.7855 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.7855 of 2025

P.Govindasamy

... Petitioner

Vs

1. The State of Tamilnadu,
Rep. by the Superintendent of Police,
Thanjavur,
Thanjavur District.

2. The Deputy Superintendent Of Police,
Thanjavur Town Range,
Thanjavur Town and District.

3. The Deputy Superintendent Of Police,
IUCAW-II, Superintendent Police Office Campus,
Thanjavur- 613 010.

4. G. George David

... Respondents

PRAYER: Criminal Original petition has been filed under Section 528 of BNSS to direct the respondents herein to not to interfere in the Civil dispute and not to harass the petitioner in respect of the property in Old



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S.No. 253/1, Old S.No 253/7, now New Ward No. 8, Block No. 32, Old T.S.No. 91/P, New T.S.No.91/3, Plot No.11, 12, 12A, 13 & 14 at "Thangamuthu Nagar, Neelagiri Vattam, Thanjavur Taluk & District, which was the subject matter of auction purchase of the petitioner in SARFAESI Act proceedings.

For Petitioner : Mr.V.R.Shanmuganathan,

For R1 to R3 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondents herein to not to interfere in the Civil dispute and not to harass the petitioner in respect of the subject property, which was the subject matter of auction, purchased by the petitioner in SARFAESI Act proceedings.

2.The learned Counsel for the petitioner would submit that the



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petitioner is the owner of the subject property and he purchased the property through Court auction. Now, the fourth respondent, who is the original owner and borrower of money from the Bank concerned lodged a false complaint against the petitioner and there is no any brevity of contract between the petitioner and the fourth respondent. However, he lodged a false complaint before the third respondent. In turn, the third respondent frequently called the petitioner and already the petitioner also appeared, in spite of that by interfering with the civil dispute, the third respondent frequently called the petitioner. Therefore, the petitioner sent the representation dated 24.04.2025, but the same has not been considered. Hence this petition.

3.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that based on the fourth respondent's complaint, they called the petitioner for enquiry and the same is pending. They will conduct enquiry and take appropriate action, in accordance with law.

4.Considering the limited scope of the prayer sought for in this petition, this Court, without even issuing notice to the private



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respondent, is inclined to pass order.

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5.According to the petitioner, the third respondent frequently called the petitioner based on the complaint lodged by the fourth respondent by interfering with the property dispute. The third respondent denied the alleged harassment and only based on the complaint lodged by the fourth respondent they called the petitioner for enquiry and also assured to complete the enquiry within a period of one week.

6.Considering the prayer of the petitioner and the second respondent also admitted the receipt of the petitioner's representation, this Court directs the second respondent to dispose of the fourth respondent's complaint along with the petitioner's representation, dated 24.04.2025, in accordance with law, within a period of fifteen days from the date of this order.

7.It is needless to mention that the respondent police have to follow the circular issued by their higher authorities, if the matter is civil in nature.



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8.With the above direction, this Criminal Original Petition is
disposed of.

28.04.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
LR

To

1. The State of Tamilnadu,
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Thanjavur District.
2. The Deputy Superintendent Of Police,
Thanjavur Town Range,
Thanjavur Town and District.
3. The Deputy Superintendent Of Police,
IUCAW-II, Superintendent Police Office Campus,
Thanjavur- 613 010.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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LR

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