



CrI.O.P.(MD)No.8313 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.06.2025

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.8313 of 2025

Senthil

... Petitioner

versus

State of Tamil Nadu,

1. The Superintendent of Police,
Virudhunagar District.

2. The Inspector of Police,
Aruppukottai Taluk Police Station,
Virudhunagar District.

3. Kaleeswari

... Respondents

Prayer : Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking a direction to the 1st respondent not to harass the petitioner under the guise of enquiry without due process of law.

For Petitioner : Mr.S.Mahendrapathy

For R1 and R2 : Mr.P.Kottaichamy,
Government Advocate (CrI. side)



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ORDER

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The petitioner has moved this petition that the respondent Police is harassing him under the guise of enquiry.

2. Mr.P.Kottaichamy, learned Government Advocate (CrI. Side), takes notice for the respondents 1 and 2 and submits that the 3rd respondent has lodged a complaint before the the first respondent/the Superintendent of Police. The said complaint was treated as current paper enquiry and the same was closed, as it is only a money dispute, on 09.04.2025.

3. This Court considered the rival submissions made.

4. It appears that the 3rd respondent has lodged a complaint before the first respondent/Superintendent of Police on 04.10.2024. The Superintendent of Police has forwarded the same to the second respondent for enquiry and he kept the papers for eight months and closed the same only on 09.04.2025 that it is only a money dispute.



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5. The Police is not having power to deal with civil matters. The Police Standing Order PSO.562 specifically prohibits the police from interfering in cases of civil in nature. Even then, complaints of civil in nature are entertained by the Police and they are doing some Kangaroo Court. The Additional Director General of Police has, recently, issued a Circular in No.18/ADGP/L&O/Camp/2024, dated 09.01.2024, that the police are strictly refrained from enquiring or entertaining in civil matters like money dispute, land dispute, property dispute, pathway dispute, intellectual property dispute, etc. In fact, as early as on 04.12.2008, the Director General of Police has issued a Circular in No. 126303/Cr.I(1)/2008, fixing an outer time limit of fifteen days to decide as to whether the wrong committed is civil or criminal.

6. Here, the official respondents, as against the guidelines issued by the Director General of Police, kept the papers pending for eight months and only thereafter, closed it as civil in nature. Police force is a disciplined force and as such, strict compliance of the orders/directions/circulars issued by the Higher Officials is expected from them. Hope the Department would address this issue in the right



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7. Insofar as the present petition is concerned, since it is represented that the complaint has now been closed, this Criminal Original Petition stands closed.

02.06.2025

Index : Yes / No.
Internet : Yes / No.
NCC : Yes / No.
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To

1. The Superintendent of Police,
Virudhunagar District.
2. The Inspector of Police,
Aruppukottai Taluk Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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