



Crl.O.P(MD)No.21696 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.21696 of 2025

S.Senthil

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Assistant Commissioner of Police,
Thiruparangundram City,
Madurai.

3.The Inspector of Police,
Thiruparangundram Police Station,
Thiruparangundram,
Madurai.

4.Maharaja

5.The Revenue Divisional Officer,
Thirumangalam,
Madurai District.

... Respondents

*(R4 is impleaded vide Court order, dated 08.12.2025 in
Crl.M.P(MD)No.19476 of 2025)*

*(R5 is suo motu impleaded by this Court vide order
dated 08.12.2025)*



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Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the respondents 1 and 2 to instruct the 3rd respondent not to harass the petitioner and others named in the CSR Dated 17.11.2025.

For Petitioner : Mr.M.Divakaran

For R1 – R3 & R5 : Mr.M.Sakthi Kumar,
Government Advocate (Crl. side)

For R4 : Mr.J.Jerin Mathew

ORDER

This criminal original petition is filed seeking a direction to the respondents 1 and 2 to instruct the 3rd respondent not to harass the petitioner and others in the name of CSR dated 17.11.2025.

2. The CSR dated 17.11.2025 is with respect to the complaint lodged by the 3rd respondent as against the petitioner. The dispute between the parties is with respect to the land situated in Malaiyadi Karuppannasamy Temple.



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3. The learned Government Advocate (Crl.Side) submitted that already several complaints have been filed by the petitioner as well as the 3rd respondent against each other. Therefore, the respondent police requested the Revenue Divisional Officer to conduct peace committee meeting and the same is pending.

4. Heard the learned counsels on either side and carefully perused the materials available on record.

5. A careful perusal of the materials on record would reveal that the dispute is with respect to certain land situated in Malaiyadi Karuppannasamy Temple. It is also submitted that in this regard the then Joint Commissioner of the Hindu Religious and Charitable Endowments, Madurai vide proceedings dated 22.08.2005 ordered appointment of a Fit Person for the said Temple. In the meanwhile, certain persons have encroached into the Temple land.



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6. Considering the submission made by the learned Government Advocate (Crl.Side), this Court *suo motu* impleads the Revenue Divisional Officer, Thirumangalam, Madurai District as 5th respondent and directs him to conclude the pending enquiry within a period of three (3) weeks from today (08.12.2025).

7. This Court is conscious that under Section 528 BNSS, 2023, it may issue appropriate directions to ensure that police powers are exercised strictly in accordance with law and not in a manner that converts civil disputes into criminal proceedings without the essential ingredients of an offence being made out.

8. To allay the petitioner's apprehensions and to ensure fairness, the following directions are issued:

(a) If any complaint is received against the petitioner, the respondent-police shall issue written summons/notice under Section 62 BNSS, 2023, specifying the date, time, and purpose of enquiry. oral or informal summons are prohibited.



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(b) The enquiry, if undertaken, shall be completed within two weeks from the date of the petitioner's appearance.

(c) If the police, upon enquiry, conclude that a cognizable offence is made out and propose to register an FIR, the petitioner shall be given prior written notice, enabling him to seek legal remedies including anticipatory bail.

(d) If the dispute is found to be civil in nature, the complaint shall be closed forthwith, without any coercive or intimidatory action.

(e) The respondents shall refrain from interfering in or attempting to adjudicate private civil rights between the parties.

9. With these directions, this Direction Petition stands disposed of.

08.12.2025

NCC : Yes / No



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Index : Yes / No

Internet : Yes/ No

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To

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Madurai City,
Madurai.
- 2.The Assistant Commissioner of Police,
Thiruparangundram City,
Madurai.
- 3.The Inspector of Police,
Thiruparangundram Police Station,
Thiruparangundram,
Madurai.
- 4.The Revenue Divisional Officer,
Thirumangalam,
Madurai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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