



Crl. O.P(MD) NO. 22053 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl. O.P(MD) No. 22053 of 2025

Selvakumar

... Petitioner

Vs

1.The Superintendent of Police,
Tenkasi District.

2.The Inspector of Police,
Karivalamvanthanallur Police Station,
Tenkasi District.

3.Madasamy

... 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 based on the complaint of the 3rd respondent which is purely civil in nature.

For petitioner :Mr.D.Venkatesh

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



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ORDER

WEB COPY This Criminal Original Petition is filed seeking a direction to the second respondent not to harass the petitioner under the guise of enquiry based on the complaint given by the third respondent.

2. The case of the prosecution is that the petitioner has executed an unregistered sale agreement in favour of the third respondent by receiving the advance amount of Rs.10,00,000/-. Thereafter, he neither executed the sale deed and nor repaid the advance amount. Hence, the complaint.

3. The learned Government Advocate (Crl.Side) submitted that there is a civil dispute between the petitioner and the third respondent. In this regard, the third respondent lodged a complaint before the second respondent. On the complaint lodged before the second respondent, they conducted enquiry and the same is pending.

4. The submission of the learned Government Advocate (Crl.Side) would reveal that the matter involved is purely civil in nature and the remedy, which is available for the parties herein is to approach the appropriate Court for specific performance of contract by filing an appropriate civil suit.



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WEB COPY 5. Accordingly, Criminal Original Petition is allowed. The responded police is directed to not to harass the petitioner and it is made clear that the respondent police has no *locus standi* to meddle with the civil dispute and conduct any inquiry in this regard.

02.12.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
dss

To

- 1.The Superintendent of Police,
Tenkasi District.
- 2.The Inspector of Police,
Karivalamvanthanallur Police Station,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI,J

dss

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