



Crl.O.P(MD)No.22578 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.22578 of 2025

Muthumariyappan

... Petitioner

Vs.

1.The District Superintendent of Police,
Sivakasi, Viruthunagar District.

2.The State of Tamilnadu,
Rep. by Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.

3.M.Dheewan Oli

4.Rahamed Yasmin

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, directing the 1st and 2nd respondents not to harass the petitioner under guise of inquiry in respect of complaint dated 25.10.2025.

For Petitioner : Mr.S.Moorthy

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



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ORDER

This Criminal Original Petition is filed seeking not to harass the petitioner under the guise of inquiry in respect of the complaint dated 25.10.2025 lodged by the 3rd and 4th respondents.

2. Considering the nature of the relief sought for, notice to the 3rd and 4th respondents is dispensed with.

3. The claim of the petitioner is that he had certain property in survey numbers 670/3, 671/2 and 671/3, which was his ancestral property and he had sold the same to the 3rd and 4th respondents. Only after obtaining proper legal opinion from an Advocate, the petitioner had executed a sale transaction in favour of the 3rd and 4th respondents on 18.09.2025. Thereafter, the 3rd and 4th respondents all of a sudden had sought for return of the sale consideration with respect to the said sale deed expressing their doubts with respect to the title of the said property purchased by them. In this regard, continuously the petitioner was threatened by the 3rd and 4th respondents and they have forcefully



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obtained Rs.10,00,000/- (Rupees Ten Lakhs only) from the petitioner.

Thereafter, they have lodged a complaint before the respondent police.

The respondent police under the guise of enquiry, is continuously harassing the petitioner. Therefore, the petitioner is before this Court.

4. The learned Government Advocate (Crl.Side) submitted that the petitioner had given an undertaking to remit a sum of Rs.82 Lakhs on or before 28.10.2025.

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

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

(a) With respect to the complaint received against the petitioner, the respondent-police shall issue written summons/notice under Section 64 BNSS, 2023, specifying the



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date, time, and purpose of enquiry. Oral or informal summons are prohibited.

(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.

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

09.12.2025

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

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To

- 1.The District Superintendent of Police,
Sivakasi, Viruthunagar District.
- 2.The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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