



*Crl.O.P.(MD)No.23527 of 2025*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **19.12.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

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A.Murugan @ Murugesan

... Petitioner

Vs.

1.The State of Tamil Nadu Rep. by its,  
The Superintendent of Police,  
Trichy District,  
Trichy.

2.The Inspector of Police,  
Valanadu Police Station,  
Trichy District.

3.Anandhan

4.Muthiyaiah

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023, to direct the second respondent not to interfere in the civil dispute of the petitioner with the respondent Nos.3 and 4.

For Petitioner : Mr.S.Manojkumar

For Respondent : Mr.S.Ravi,

Additional Public Prosecutor



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**ORDER**

Seeking a direction to the second respondent not to interfere in the civil dispute of the petitioner with the respondent Nos.3 and 4, this petition has been filed.

2. Considering the limited scope of the relief sought for, notice to the respondents 3 and 4 is dispensed with.

3.The learned counsel appearing for the petitioner submitted that the petitioner had obtained the property comprised in Natham Patta.359 in S.F.No. 483/10 measuring to an extent of 435 square feet situated at Maravapatti, Kalingapatti Village, Murugapuri Taluk, Trichy District. The respondents 3 and 4 are residing in the same village and are causing hindrance by letting their cattle into the land, which belongs to the petitioner. Thereafter, the petitioner filed a petition before this Court in Crl.O.P.(MD) No.4502 of 2025 seeking police protection and the same was allowed with a direction to the respondent Police to conduct an enquiry. Pursuant to the same, the second respondent Police conducted an enquiry and advised the parties to approach the competent civil court for appropriate relief.



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4.The learned Additional Public Prosecutor, on instructions, submitted that the petitioner had lodged a complaint before the second respondent Police.

Based on which, the second respondent Police has conducted enquiry and during the enquiry, the second respondent Police directed the parties to approach the competent civil Court. He further submitted that the third respondent filed a suit in O.S.No.19 of 2025 before the District Munsif Court, Manaparai and the same was dismissed for default. Subsequently, the third respondent filed another suit in O.S.No.109 of 2025 before the said Court and the same is pending. In the mean time, the third respondent lodged a complaint. On receipt of the complaint lodged by the third respondent, the petitioner was called for enquiry.

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

6. 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.



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7. To allay the petitioner's apprehension 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 62 of Cr.P.C/64 of BNSS, 2023, specifying the 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.

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



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

**19.12.2025**

NCC : Yes / No

Index : Yes / No

vsg

**TO:-**

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



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**L.VICTORIA GOWRI, J.**

vsg

Order made in  
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