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CrI.O.P.(MD)No.22878 of 2024



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.01.2025

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**THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR**

CrI.O.P(MD)No.22878 of 2024

1.V.N.Sivakumar

2.S.M.Pitchai Pandiyan

... Petitioners

-Vs-

1.The State of Tamil nadu rep by  
The Commissioner of Police,  
Madurai City @ Madurai.

2.The Inspector of Police,  
Central Crime Branch-III,  
Madurai, Madurai District.

3.K.P.Kandasamy

... Respondents

Prayer: Criminal Original Petition - filed under Section 528 of Bharatiya  
Nagarik Shuraksha Sanhita, to direct the first and second respondents not  
to harass the petitioners in the name of enquiry based on the false  
complaint given by the third respondents herein.

For Petitioner : Mr.N.Sathish Babu

For R1 and R2 : Mr.A.Thiruvadi Kumar

Additional Public Prosecutor

For R3 : Mr.R.Murali

**ORDER**

The Criminal Original Petition has been filed seeking a direction  
to the first and second respondents not to harass the petitioners in the



name of enquiry based on the false complaint given by the third respondents herein.

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2.The petitioners are the Secretary and President of Madurai Aruppukottai Nadar Mahalir Melnialipalli Paribalana Sabai. They filed this petition stating that they have been unnecessarily called by the respondent police on the complaint of the third respondent, who is a Treasurer of Madurai Keelapatti Aruppukottai Hindu Nadargal Uravinmurai.

3.The third respondent was having land and the land has been given on lease to the petitioners and the petitioners are running the School in the said land. There is some dispute with regard the lease. It has been given a criminal color and a complaint has been lodged and the second respondent is unnecessarily calling the petitioners. The petitioners had earlier appeared on 16.12.2024 and given their explanation and submitted the documents. However, since the harassment continues, the petitioners filed this petition.

4.The learned counsel for the third respondent submitted that the land belongs to the third respondent Association, which was given in lease to the petitioners' Society. The petitioners are running the School



in the said land and they created documents and forged the patta of the land in their name, which is nothing but a forgery committed on the revenue records and hence, a complaint has been lodged and the petitioners had appeared on 16.12.2024 and they were asked to produce other documents in respect of their explanation. Thereafter, they failed to appear.

5.The learned Additional Public Prosecutor appearing for the respondent police submits that on the complaint of the third respondent, summons was served to the petitioner on 11.12.2024 and the petitioner appeared on 16.12.2024. They had taken time to produce some documents and they stated that they would appear on 29.01.2025 and submit documents in respect of their contentions. Thereafter, they had not appeared, on the other hand they filed this case.

6.The learned counsel for the petitioner, on instructions, submitted that on 29.01.2025 both the petitioners will appear before the second respondent and give their explanation and materials available in respect of their explanation. The learned counsel for the third respondent submits that the third respondent will also appear on the said date and give his explanation and documents in respect of his claim.



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7.In view of the above submission, the second respondent police is directed to conduct enquiry and conclude the same within a period of two months from the date of receipt of a copy of this order.

8.This Criminal Original Petition is disposed of on the above terms.

**03.01.2025**

Index : Yes/No

Internet : Yes/No

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To

- 1.The State of Tamil nadu rep by  
The Commissioner of Police,  
Madurai City @ Madurai.
- 2.The Inspector of Police,  
Central Crime Branch-III,  
Madurai, Madurai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**M.NIRMAL KUMAR,J.**

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