



WEB COPY

CRL OP No. 6128 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 6128 of 2026

E.Kumaresan
S/o.Eswaran,
No.3, Angannan Nagar,
Narasimanayakenpalayam,
Periyanaickenpalayam Post,
Coimbatore District-641031.

..Petitioner(s)

Vs

1. The Superintendent of Police,
Coimbatore District,
Coimbatore.
2. The Inspector of Police
Periyanaickenpalayam Police Station,
Coimbatore District.

..Respondent(s)

PRAYER : Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita Act, 2023 to issue appropriate direction to the second respondent not to harass, intimidate or coerce the petitioner in connection with the civil dispute relating to repayment of tenant lease/advance amount pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For Petitioner(s):

Mr.P.Ramakrishnan

For Respondent(s):

Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor for R1 And R2



ORDER

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The present Criminal Original Petition has been filed seeking a direction to the second respondent police not to harass the petitioner under the guise of enquiry.

2. The case of the petitioner is that the dispute relates to refund of a tenant lease amount, which is purely civil in nature.

3. The learned Additional Public Prosecutor, on instructions, submitted that based on the complaint given against the petitioner, the respondent Police are conducting an enquiry and that the petitioner was called only for enquiry and was not harassed during the enquiry.

4. Considering the submissions made and on perusal of the materials it is seen that the petitioner claiming to be a the owner of the property has leased the property to several portions and collected an amount of Rs.32,00,000/-. The property has been in mortgage with Punjab National Bank. The loan had been defaulted and thereafter, the bank had taken steps to secure and attached the property. Now the complaint has been lodged by the persons occupying seeking for recovery of the amount. The petitioner though earlier agreed for that, but he failed to do so. In view of the cheating committed as claimed by the occupants



of the property, the petitioner was called for an enquiry which cannot be termed as harassment.

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5. Accordingly, this Criminal Original Petition is dismissed.

10-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

mtl

To

1. The Superintendent of Police,
Coimbatore District,
Coimbatore.
2. The Inspector of Police
Periyanaickenpalayam Police Station,
Coimbatore District.
3. The Public Prosecutor, High Court, Madras.



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M.NIRMAL KUMAR, J.

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