



Crl.O.P.No.5992 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2026

CORAM:

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.5992 of 2026

Santhosh

... Petitioner

Vs.

1.The Superintendent of Police,
Office of Superintendent of Police,
Krishnagiri District.

2.The Deputy Superintendent of Police,
Hosur, Krishnagiri District.

3.The Inspector of Police,
Uddanapalli Police Station,
Krishnagiri District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to direct the respondents not to harass the petitioner in the guise of enquiry.

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor

ORDER

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



2. The case of the petitioner is that the dispute between him and the de facto complainant Murugan is purely civil in nature arising out of a construction agreement. The petitioner denies the allegations made in the complaint and states that the matter relates to a contractual dispute regarding construction work and payment. However, the de facto complainant, Murugan has lodged a false complaint, due to which, the petitioner was called for enquiry by the third respondent.

3. The learned Additional Public Prosecutor, on instructions, submitted that based on the complaint given against the petitioner, the third 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 has been called for enquiry based on the complaint given by one Murugan. The petitioner had agreed to construct a house for a sum of Rs.9,00,000/-. Though, the petitioner has received a sum of Rs.7,70,000/-, he has not completed the construction. Therefore, a dispute has arisen between the parties in this regard. The third respondent is at liberty to issue notice to the petitioner, conduct enquiry and proceed in accordance with law.



Crl.O.P.No.5992 of 2026

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5. Such being the position, it is for the Investigating Agency to issue appropriate notice to the petitioner under Section 35(3) of BNSS for enquiry and on receipt of such notice, the petitioner shall appear for enquiry within a period of one month from the date of receipt of a copy of this order and co-operate in the investigation. It is made clear that the third respondent shall conduct an enquiry and the petitioner shall not be harassed during the course of enquiry. If any cognizable offence is made out, the first respondent Police shall register a First Information Report and proceed in accordance with law.

6. Accordingly, this Criminal Original Petition stands disposed of.

09.03.2026

Neutral Citation: Yes/No

vkrr

To

- 1.The Superintendent of Police,
Office of Superintendent of Police,
Krishnagiri District.
- 2.The Deputy Superintendent of Police,
Hosur, Krishnagiri District.

3/4



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Crl.O.P.No.5992 of 2026

M.NIRMAL KUMAR, J.

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3.The Inspector of Police,
Uddanapalli Police Station,
Krishnagiri District.

4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.5992 of 2026

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