



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 12-03-2026**

CORAM

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**THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR**

**CRL OP No. 6326 of 2026**

Vasanthakumar  
S/o.Kumarasamy, 5/27, VNR Nagar,  
6th street, Vadavalli, Coimbatore  
District.

Petitioner(s)

Vs

1. The State Rep. by the  
Superintendent of Police,  
Tiruppur.

2.The Inspector of Police,  
Cheyur Police Station, Tiruppur  
District.

Respondent(s)

**PRAYER**

Criminal Original Petition filed under Section 528 of BNSS to direct the respondents not to harass the petitioner in the guise of enquiry and doing coercion without following due process of law.

For Petitioner(s): Mr.N.Ponraj

For Respondent(s): Mr.. Leonard Arul Joseph Selvam  
Additional Public Prosecutor  
For R1 & R2



## **ORDER**

This criminal original petition is filed to direct the respondents not to harass the petitioner under the guise of enquiry and not resort to coercion without following due process of law.

2. The case of the petitioner is that he is the owner of the land measuring 4.64 acres in R.S. No. 418/1A (Old SF No. 418/1) and R.S. No. 415/1A1 (Old S.F. No. 415/1) in Muriyandampalayam Village, Avinashi Taluk, Tiruppur District. The above land was purchased by the petitioner from one Saravanan vide a sale deed dated 29.01.2024 in Doc. No. 1214 of 2024 on the file of Sub-Registrar, Avinashi. Ever since the date of purchase, the petitioner is in possession and enjoyment of the said land. While so, due to a matrimonial discord between Saravanan and his wife, by name, Karthika, the family members of Karthika as well as Karthika have been trying to disturb the possession and enjoyment of the petitioner, which necessitated the filing of a complaint before the 2<sup>nd</sup> respondent on 23.05.2025 and the same was assigned CSR No. 58 of 2025. However, no action was taken. Subsequently, according to the petitioner, the 2<sup>nd</sup> respondent had come to the land of the petitioner and threatened one of the petitioner's worker to vacate the land or else, an FIR would be registered. The on-line complaint given by the petitioner to the 1<sup>st</sup> respondent as against the 2<sup>nd</sup> respondent did not evoke any response and taking advantage of the same, under the guise of enquiry, the 2<sup>nd</sup> respondent is said to



be calling the petitioner to the Police Station, off and on, and forcing 1

petitioner to vacate and hand over possession of the property to the said

Karthika, failing which, the petitioner is threatened that he would be implicated

in a false case and put behind bars. Hence, the present petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents and perused the materials on record.

4. It is seen that the petitioner had purchased a property from one Saravanan and the petitioner is in possession and enjoyment of the said property. There appears to be a matrimonial dispute between the said Saravanan and his wife Karthika, in respect of which, a HMOP is pending. Karthika had claimed that she is in enjoyment of the property and therefore, her brother had lodged a complaint against the petitioner and a case in Crime No. 53 of 2026 was registered. Earlier, the petitioner had lodged a complaint against the said Karthika and her brother, for which CSR No. 58 of 2025 was assigned and the same was closed as 'civil in nature'. Thereafter, the petitioner had given a complaint to the Deputy Superintendent of Police, Avinashi, which was forwarded to the 2<sup>nd</sup> respondent and the 2<sup>nd</sup> respondent, for the purpose of investigating the complaint of the petitioner, had been calling the petitioner for enquiry, which is now being termed as harassment. However, the contention of the petitioner that the 2<sup>nd</sup> respondent had forced the petitioner to vacate and hand over the possession of the property to Karthika also cannot be brushed aside. Further, the Police cannot take the role of a Civil Court and force the



petitioner to move away from the property. It is for the parties to approach the

**M. NIRMAL KUMAR,J.**

nv

Civil Court concerned to seek any relief with regard to the possession and enjoyment of the property.

5. With the above observation, this criminal original petition stands dismissed.

**12-03-2026**

Neutral Citation:Yes/No

nv

To

1.The Superintendent of Police,  
Tiruppur.

2.The Inspector of Police,  
Cheyur Police Station,  
Tiruppur District.

3. The Public Prosecutor,  
High Court, Madras.

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