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Crl.O.P. No. 7168 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2026

CORAM

THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

Crl. O.P. No. 7168 of 2026

S. Deepan

..Petitioner

Vs.

1. The Commissioner of Police,
Tambaram City,
Sholinganallur,
Chennai – 600 119.
2. The Deputy Commissioner of Police,
Pallikaranai Division,
Tambaram City,
Sholinganallur,
Chennai – 600 119.
3. The Inspector of Police,
Medavakkam Police Station,
Medavakkam,
Chennai – 600 100.

4. Mr. Jayachandran

..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to
direct respondents 1 to 4 not to harass the petitioner and his family members



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based on the complaint in CSR No. 0036 of 2026 filed by the de facto complainant on the file of the 3rd respondent Police.

For Petitioner :: Mr.K. Rajapandi

For Respondents :: Mr. Leonard Arul Joseph Selvam
Addl. Public Prosecutor for
R1 to R3

O R D E R

This criminal original petition is filed seeking a direction to respondents 1 to 4 not to harass the petitioner and his family members based on the complaint given by the de facto complainant, which has been assigned CSR No. 0036 of 2026 on the file of the 3rd respondent Police.

2. The case of the petitioner is that he is doing business of buying and selling old cars through online mode and he has registered in OLX online website about his business. The de facto complainant, by name, Saravanan, had approached the petitioner regarding purchase of a BMW 5200 car and the petitioner had purchased the said car for a consideration of Rs.14 lakhs in order to sell it to the de facto complainant. Since the car was not in good condition, the petitioner had undertaken certain mechanical work and spent Rs.6 lakhs over it. Thereafter, the cost of the car was estimated at Rs.22 lakhs and the de facto complainant also agreed to buy the same and



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out of Rs.22 lakhs, the de facto complainant paid a sum of Rs.13,50,000/- in instalments on various dates towards the cost of the car and the remaining amount was promised to be paid on delivery of the car. However, all of a sudden, the de facto complainant informed the petitioner that he does not want to buy the car and demanded the repayment of Rs. 13,50,000/- paid by him. Since the petitioner could manage to pay only a sum of Rs.1 lakh and was unable to repay the remaining amount, a complaint came to be lodged by the de facto complainant against the petitioner in CSR No. 36/2026 before the 3rd respondent Police. According to the petitioner, pursuant to the said complaint, under the guise of enquiry, the petitioner and his family members are being harassed by the 3rd and 4th respondent Police and the petitioner has been threatened that failure to repay the amount to the de facto complainant would result in dire consequences. Hence, the present criminal original petition.

3. The learned counsel for the petitioner would submit that only on the assurance of the de facto complainant that he would purchase the car, the petitioner had bought the car through finance. However, the de facto complainant suddenly decided to back out from the deal and the petitioner is



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not in a position to repay the amount as he is in debt and facing financial crisis. The respondent Police, based on the complaint lodged, under the guise of enquiry, without issuing summons, is harassing the petitioner and his family members to repay the amount immediately.

4. Learned Additional Public Prosecutor submitted that the petitioner had agreed to sell a car to the de facto complainant/Saravanan and collected Rs.16 lakhs, but neither sold the car nor returned the money.

5. Considered the submissions and perused the materials on record.

6. It is seen that the petitioner agreed to sell a car to the de facto complainant/Saravanan and collected Rs.16 lakhs. Thereafter, it appears that the petitioner neither sold the car nor returned the money leading to lodging of complaint. Pursuant to the complaint, the petitioner was called for an enquiry. It is brought to the notice of this Court that the petitioner was called for enquiry on 12.01.2026 and he had given an undertaking that he would settle the issue. On the contrary, the petitioner has come forward with the present petition stating that he is being harassed.



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7. Considering the fact that the complaint against the petitioner is pending in CSR No. 36 of 2026 and the petitioner having participated in the enquiry, now he cannot term it as harassment. If the petitioner is not co-operating for the enquiry and there are materials available against the petitioner, then the respondent Police is at liberty to proceed in accordance with law and take appropriate action.

8. The criminal original petition is disposed of with the above observation.

23.03.2026

nv

To

1. The Commissioner of Police,
Tambaram City,
Sholinganallur,
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nv

4. The Public Prosecutor,
High Court, Madras.

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