



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-05-2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CRL OP No. 11825 of 2026

1. V.Ramesh Babu
S/o.Venkatesalu Naidu,
Residing at No.409,
Veppampattu Road,
Sirukalathur Village,
Kilambakkam Post,
Tiruvallur-602025.

2. R.Sridevi
W/o.Ramesh Babu,
Residing at No.409,
Veppampattu Road,
Sirukalathur Village,
Kilambakkam Post,
Tiruvallur-602025.

..Petitioners

Vs

The State rep.by,
The Inspector of Police,
Sevvapet Police Station,
Avadi,
Chennai.

..Respondent

Prayer: Criminal Original Petition filed under section 528 of B.N.S.S./482 of Cr.P.C., to direct the respondent police not to harass the petitioners in respect to the CSR which is no way connected to them, which is purely civil dispute.

For Petitioners : Mr. K.Shajahan

For Respondent : Mr.A.Damodaran,
Addl. Public Prosecutor



ORDER

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The petitioners seek for a direction to the third respondent not to harass the petitioners in respect of CSR, which is no way connected to them, which is purely civil dispute.

2. The learned counsel for the petitioner submitted that the petitioners purchased a land measuring an extent of 1.94 acres, comprised in S.No.20/2 in 2000 in Ayathoor Village from one Chandran, Venkatesan and Govinda Gramani and during 2021, the said Chandran and Venkatesan preferred a false complaint stating that their signatures were forged. They have also attempted to grab the land already sold by them and put a small hut in the land. In order to thwart their attempt, the petitioners have filed a suit in O.S.No.26 of 2022 before the District Munsif Court, Tiruvallur for permanent injunction and declaration and the same is pending trial. In the circumstances, the above stated persons started fresh litigation by preferring another complaint by one Rajesh before the respondent police, for which, CSR was issued. In the said complaint, there is no allegations against the petitioner, however, the respondent police has been threatening the petitioners that they would register a case against them, in the event of not settling the money demanded by them. Despite the issue pertains to a civil dispute which has to be adjudicated by the civil court,



the respondent police is subjecting the petitioners to harassment. Hence, this petition came to be filed.

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3. The learned Government Advocate appearing for the respondent police submitted that matter is purely civil in nature and already a civil suit is pending between the parties in O.S.No.26 of 2022 and the same is pending trial, hence, the petitioners will not require to appear for enquiry.

4. Heard the learned counsels on either side and carefully perused the materials available on record.

5. This Court is conscious that under Section 528 BNSS, 2023, it may issue appropriate directions to ensure that police powers are exercised strictly in accordance with law and not in a manner that converts civil disputes into criminal proceedings without the essential ingredients of an offence being made out.

6. To allay the petitioners' apprehensions and to ensure fairness, the following directions are issued:

(a) With respect to the complaint received against the petitioner, the respondent-police shall issue written summons/notice under Section 62 Cr.P.C /



64 BNSS, 2023, specifying the date, time, and purpose of enquiry. Oral or informal summons are prohibited.

(b) The enquiry, if undertaken, shall be completed within two weeks from the date of the petitioner's appearance.

(c) If the police, upon enquiry, conclude that a cognizable offence is made out and propose to register an FIR, the petitioner shall be given prior written notice, enabling them to seek legal remedies including anticipatory bail.

(d) If the dispute is found to be civil in nature, the complaint shall be closed forthwith, without any coercive or intimidatory action.

(e) The respondent police shall refrain from interfering in or attempting to adjudicate private civil rights between the parties.

7. With the above directions, this Criminal Original Petition is disposed of.

07.05.2026

Internet : Yes/No
Index ; Yes/No
msr

To
The Inspector of Police,
Sevvapet Police Station,
Avadi, Chennai.



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CRL OP No. 11825 of 2



L.VICTORIA GOWRI, J.

msr

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07-05-2026