Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR. JUSTICE V. LAKSHMINARAYANAN

WPMP Crl. No.855 of 2026
in
WP CRL. No.783 of 2025

M.P.Dhanakumar

..Petitioner

Vs

1. The Sub Divisional Magistrate Cum,
   Revenue Divisional Officer,
   Gobichettipalayam, Erode District.

2. The Superintendent of Police,
   District Police Office,
   Erode 638 001, Erode District.

3. The Inspector of Police,
   Bungalow Pudur Police Station,
   Erode District.

4. Subramaniam
5. S.Tamilarasi
6. S.Karthik

..Respondents

Writ Miscellaneous Petition filed under Article 226 of the Constitution of India to conduct an inquiry under Section 379 read with Section 215(1)(b) of the Bharatiya Nagarik Suraksha Sanhita, 2023, in respect of the offences under Sections 227, 228, 229 and other applicable provisions of the Bharatiya Nyaya Sanhita, 2023, alleged to have been committed by respondents 4 to 6 by intentionally giving false evidence, fabricating false evidence and knowingly producing and relying upon a false document in WP.(Crl.) No.783 of 2025, and, to make a complaint in writing before the competent Magistrate in accordance with Section 379 of the BNSS.

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For Petitioner : Mr.A.Gokulakrishnan

For Respondents : Mr.S.Yogaraja Sekar,
Govt. Advocate (Crl. Side)
for R2 and R3

ORDER

The grievance of the Mr.A.Gokulakrishnan is that the writ petitioners had produced forged and fabricated house receipts at the time of arguing writ petition in WP.Crl.No.783 of 2025 and secured orders. On the basis of those receipts, an affidavit was filed, which according to Mr.A.Gokulakrishnan, infringes Chapter XIV of the Bharatiya Nyaya Sanhita, 2023. Hence, he seeks appropriate orders may be passed by this Court in respect of offences for having interfered with the course of justice.

2. I called upon Mr.S.Yogaraja Sekar to get instructions from the respondent police and listed the matter today.

3. When the matter was taken up, Mr.S.Yogaraja Sekar informs that after investigation, the police have come to a conclusion that the receipts are forged and the Bangalapudur Police, Erode have registered an FIR in Crime No.277 of 2026 on 24.09.2026, that is to say, three days after this Court had issued notice.

4. For the same transaction, there cannot be multiple FIRs, one by the Electricity Board alleging that the receipts are forged and another at

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the instance of the petitioner stating that, as those forged receipts are produced before this Court, respondents 4 to 6/writ petitioners have to be prosecuted. As the complaint has already been taken on file, there shall be a direction to the respondent police to complete the investigation in Crime No.277 of 2026 and file the final report at the earliest.

5. Mr.A.Gokulakrishnan states that despite the order of this Court in WP.Crl.No.783 of 2025 dismissing the writ petition and upholding the order granting him possession on 20.08.2024, the writ petitioners are constantly interfering with his possession and are trespassing into the property. He seeks police protection. Such a relief will go way beyond the relief sought for in this Writ Miscellaneous Petition. If the petitioner seeks police protection on the basis of the order passed by the Revenue Divisional Officer, it is for him to either approach the jurisdictional police and seek for such a relief or come up with a fresh writ petition. In a petition seeking a direction to register an FIR, there cannot be an order for a totally different cause of action, namely, police protection.

6. With the above observation, this miscellaneous petition stands dismissed.

29-10-2026

Index: Yes/No
Neutral Citation: Yes/No
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V.LAKSHMINARAYANAN J.

mmi/nm

To

1. The Sub Divisional Magistrate Cum
   Revenue Divisional Officer,
   Gobichettipalayam,
   Erode District.

2. The Superintendent of Police,
   District Police Office,
   Erode 638 001.
   Erode District.

3. The Inspector of Police,
   Bungalow Pudur Police Station,
   Erode District.

4. The Public Prosecutor,
   High Court, Madras.

WPMP Crl. No.855 of 2026
in WP CRL. No.783 of 2025

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