



Crl.O.P.(MD).No.5189 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.5189 of 2026

J.Sahaya John Micheal

...Petitioner

Vs

- 1.The State Rep. by,
The Superintendent of Police,
Kanyakumari District,
O/o,Superintendent of Police,
Nagercoil,
Kanyakumari District.
- 2.The Deputy Superintendent of Police,
Kanyakumari Sub Division,
Kanyakumari,
Kanyakumari District.
- 3.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari,
Kanyakumari District.

4.B.Arjun

...Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to direct the third respondent not to harass the petitioner and his family members by repeatedly summoning the petitioner under the guise of enquiry pursuant to the enquiry notice/summons dated 03.03.2026 issued by the third respondent in respect of a dispute which is purely civil in nature between the petitioner and the fourth respondent.



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For Petitioner : Mr.M.Pandian

For Respondents : Mr.A.Albert James, (for R1 to R3)
Government Advocate (CrI. Side)

ORDER

The present application has been filed seeking a direction to the third respondent not to harass the petitioner and his family members by repeatedly summoning the petitioner under the guise of enquiry pursuant to the enquiry notice/summons dated 03.03.2026 issued by the third respondent in respect of a dispute which is purely civil in nature between the petitioner and the fourth respondent.

2.It seems that there is a civil dispute pending between the petitioner and the fourth respondent, over which a complaint was lodged as against the petitioner. Since the petitioner was harassed by the police officials, he had filed a criminal original petition in CrI.O.P.(MD).No.17807 of 2025, and this Court, by an order dated 22.10.2025, closed the petition recording the submission of the police officials that the complaint was closed and the petitioner would not be called for an enquiry.



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3. Thereafter, the fourth respondent herein has chosen to file a similar complaint on 12.11.2025 and based upon the second complaint, the petitioner is repeatedly being called by the police officials for enquiry. Therefore, the present petition has been filed seeking a direction against the police officials not to harass the petitioner.

4. A perusal of the complaint as well as the other records reveal that there is a dispute pending between the petitioner and the fourth respondent with regard to the sale of a Machinery Boat, for which, the respondents police have no jurisdiction whatsoever to conduct an enquiry.

5. Therefore, the respondents Police are directed not to conduct any further enquiry.

6. With the above directions, this Criminal Original Petition stands allowed.

12.03.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
vsg



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To

- 1.The Superintendent of Police,
Kanyakumari District,
O/o,Superintendent of Police,
Nagercoil,
Kanyakumari District.
- 2.The Deputy Superintendent of Police,
Kanyakumari Sub Division,
Kanyakumari,
Kanyakumari District.
- 3.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR, J.

vsg

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