



Crl.O.P.(MD)No.7118 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.04.2026

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

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Karuppaiah

... Petitioner

Vs.

1. The State of Tamilnadu,
Rep by the Superintendent of Police,
Ramanathapuram District.

2. State of Tamilnadu,
Rep by the Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.

3. Abdul Wahab Agarani

...Respondents

Prayer : Criminal Original Petition filed under Section 582 of BNSS, 2023, to direct the respondent No.2 herein to not to interfere in the civil disputes in respect of the property comprised in Sur.Nos.670/3 and 606/2367B situated at Vellaiyapuram Village, Kamuthi Taluk, Ramanathapuram District.

For Petitioner

: Mr.G.Vishnuram

For Respondents

: Mr.A.Albert James
Government Advocate(crl.side)
for R1 & R2



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ORDER

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The petitioner, with a grievance that the respondent police are harassing him under the guise of conducting a petition enquiry, has filed this petition seeking directions to the respondent police not to interfere in the civil dispute.

2.Learned Government Advocate (Crl. Side) appearing for the respondent police submitted that they are conducting a petition enquiry as against this petitioner in CSR.No.511 of 2025. He further submitted that summons have been issued to the petitioner under Sections 94 and 179 of the BNSS to conduct enquiry in respect of the same.

3.This Court has perused the Case Diary file and verified the nature of the complaint. It appears that the third respondent has lodged a complaint on 29.09.2025 alleging that this petitioner has illegally encroached upon a land in S.Nos.606/2367 and 606/2263 to an extent of 6 acres belonging to Suntharapuram Pallivasal and is attempting to erect a shed on the said land. The respondent police have treated this complaint, which *prima facie* appears to be of civil in nature, as a petition enquiry and registered CSR.No.511 of 2025.



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4.The petitioner claims that he is having patta for the land in the above survey numbers. The 3rd respondent, who is the representative of the Suntharapuram Pallivasal, is also claiming title over the said property. In the event, the Pallivasal is having a grievance that the petitioner has encroached upon the said land, the legal remedy available to them is by filing a suit for recovery of possession or an injunction before the civil Court. Instead of pursuing the above remedies, they have filed a complaint to the respondent police and the police has also yielded to the same.

5.It is a settled position that the police cannot interfere in civil disputes and convert the same into criminal matters by entertaining complaints in respect of the same. PSO No.562 specifically prohibits the police from investigating the cases of civil in nature. The Director General of Police has issued Circular No. 126303/Cr.I(1)/2008, dated 04.12.2008 restraining the police from entertaining the complaint of civil in nature. A similar circular was also issued by the Additional Director General of Police in Circular No. 18/ADGP/L&O/Camp/2024, dated 09.01.2024. These departmental circulars make it explicit that police officers have no jurisdiction to summon parties or mediate civil disputes under the pretext of enquiry.



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6.In fact, this Court in *Abdul Kadar and Others v. Commissioner of Police and Others* [2025-MHC-2518] has issued directions that police officers shall not entertain or conduct enquiries in disputes which are civil in nature such as those involving property. It was also directed that summons under Sections 94 or 179 BNSS shall be issued only after registration of an FIR, and never during preliminary or petition enquiry. However, the respondent police has issued a summons to the petitioner in the present case without even registering a FIR. Such a practice has no recognition under the Bharatiya Nagarik Suraksha Sanhita. None of the above instructions and directions are being complied by the police officers.

7.The police force is claiming to be a disciplined force. However, the subordinate officers are not having any regard to the directions issued by the Director General of Police and by this Court. In fact, this Court is witnessing multiple instances wherein the police officers are entertaining civil disputes, probably because some revenue is arising out of it. In the present case, the complaint of the 3rd respondent was treated as a petition enquiry on 29.09.2025 and kept pending for the past 6 months. Rather than spending their valuable time and energy on criminal matters and / or on real policing work, the police are wasting their time by interfering in such civil disputes. The police officers



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must realise that any mistake committed by a single officer would spoil the reputation of the entire force in which they are working. It is up-to the Department headed by its higher officials to correct itself.

8. Therefore, this Court directs the Inspector General of Police, South Zone, Tamil Nadu, to look into this issue and find out the nature of the complaint, the manner in which it has been dealt with by the respondent police for the past 6 months and take necessary action in accordance with the law.

9. With the above directions, this Criminal Original Petition stands disposed of.

10.04.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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To

1. The Inspector General of Police,
South Zone, Tamil Nadu.
2. The Superintendent of Police,
Ramanathapuram District.
3. The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

RJR

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