



Crl.OP(MD) No.17853 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.17853 of 2026
and Crl.MP(MD) No.17192 of 2026

Jegatheesan

... Petitioner

Vs

1. The II Class Executive Magistrate Cum Tahsildar,
Ramanathapuram, Ramanathapuram District.

2. The State of Tamilnadu Rep., by
the Inspector of Police,
AWPS-Ramanathapuram, Ramanathapuram District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS., to call for the records relating to the summon in M.C.No. (A3)/303/2026/4208/2026 passed by the 1st respondent dated 31.07.2026 QUASH the same and allow this petition.

For Petitioner : Mr.P.Praveenkumar

For Respondents : Mr.V.Shathurthi Raja
Government Advocate (Crl.Side)
for R1, R2



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ORDER

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The present petition has been filed seeking to quash the summons issued by the first respondent herein under Section 7(c) of Tamil Nadu Prohibition of Harassment of Women Act.

2.Perusal of the impugned summons reveals that the said summons has been issued based upon the complaint lodged by the Inspector of Police, All Women Police Station, Ramanathapuram.

3.According to the learned counsel appearing for the petitioner, he is an accused in Spl.SC No.48 of 2023 on the file of Mahila Court, Ramanathapuram, wherein, he is charged with the offences under Sections 376(3) of IPC and Section 5(1) and 6 of POCSO Act. According to him, he is co-operating for the trial and no NBW is pending as against him. He further submits that, unless the petitioner is charged with the offences under sections 74, 75, 76, 77, 78, 79 or 296 of BNS, proceedings under Section 7(c) of Tamil Nadu prohibition of harassment of Women Act cannot be invoked.



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4.The learned Government Advocate (Crl.Side) appearing for the respondents police submits that the Inspector of Police, All Women Police Station, Ramanathapuram had apprehended that the petitioner may indulge in similar offences in future and therefore, the aforesaid provision has been invoked.

5.Heard the learned counsel appearing for the petitioner and perused the material records available on record.

6.As could be seen from the impugned summons, it has been issued only on the complaint lodged by the Inspector of police, All Women Police Station, Ramanathapuram. The petitioner is not facing any charges under Sections 74 to 79 or 296 of BNS. In such circumstances, the provisions of 7(c) of Tamil Nadu Prohibition of Harassment of Women Act cannot be invoked. In case, in future, if there are any materials as against the petitioner to invoke Section 7(c) of Tamil Nadu Prohibition of Harassment of Women Act, they are at liberty to proceed in accordance with law.



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7. With the aforesaid observations, this Criminal Original Petition stands allowed.

19.08.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
PNM

To

1. The II Class Executive Magistrate Cum Tahsildar,
Ramanathapuram, Ramanathapuram District.

2. The State of Tamilnadu Rep., by
the Inspector of Police,
AWPS-Ramanathapuram, Ramanathapuram District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR, J.

PNM

ORDER MADE IN
Crl.OP.(MD)No.17853 of 2026

19.08.2026