



Crl.O.P.(MD)No.22307 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **05.12.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

Crl.O.P.(MD)No.22307 of 2025

1.Murugavel

2.M.Poomanikam

3.Rajalakshmi

... Petitioners

Vs.

1.The State Rep. by,
The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
All Women Police Station,
Anna Nagar,
Madurai District.

3.Sowmiya

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023, to direct the first respondent to instruct the second respondent not to harass the petitioners and their family members under the guise of enquiry without following due process of law.



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For Petitioners : Mr.K.Dinesh
For Respondent : Mr.M.Sakthi Kumar (for R1 & R2)
Government Advocate (Crl. Side)

ORDER

This criminal original petition has been filed seeking a direction to the first respondent to instruct the second respondent not to harass the petitioners and their family members under the guise of enquiry without following due process of law.

2. Considering the nature of the relief sought for, notice to the third respondent is dispensed with.

3.The learned counsel appearing for the petitioners submitted that all the petitioners are in-laws of the third respondent and that the complaint lodged by the third respondent arises out of a matrimonial dispute. Earlier, the third respondent had lodged a complaint before the second respondent police, pursuant to which, an enquiry was conducted and the same was closed. Thereafter, the third respondent made a further representation before the first respondent, and the said petition was forwarded to the second respondent. For the purpose of dealing with the said representation, the second respondent has



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called the petitioners. Under the guise of enquiry, the police are repeatedly harassing the petitioners and, hence, they have filed the present petition.

4. However, the learned Government Advocate, Mr.M.Sakthi Kumar (Crl.side) on instructions, submitted that an enquiry is pending on the complaint given by the 3rd respondent against the petitioner and the same will be concluded within a short period of time.

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

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

(a) With respect to the complaint received against the petitioners, the respondent-police shall issue written summons/notice under Section 62 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 petitioners' appearance.



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(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 him 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.

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

05.12.2025

NCC : Yes / No
Index : Yes / No
vsg



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TO:-

1. The Commissioner of Police,
Madurai City,
Madurai.
2. The Inspector of Police,
All Women Police Station,
Anna Nagar,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

vsg

Order made in
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Dated
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