



Crl.OP(MD)No.22680 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.12.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).No.22680 of 2025

Poonchittukumaran

... Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.

3.Francis

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the respondents 1 and 2 and his men not to harass the petitioner under the guise of enquiry without following due process of law.

For Petitioner : Mr.K.Rajiv Gandhi

For R-1 & R-2 : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)



Crl.OP(MD)No.22680 of 2025

ORDER

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This criminal original petition has been filed seeking direction to the respondents 1 and 2 and his men not to harass the petitioner under the guise of enquiry without following due process of law.

2. When the matter came up for hearing, the learned Government Advocate (Crl.side) appearing for the respondents 1 and 2, on instructions, would submit that the dispute is with respect to money transaction between the petitioner and the third respondent. He would further submit that the petitioner has appeared before the first respondent police and had given an undertaking that he would return the money involved shortly and enquiry is still pending.

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

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

(a) If any complaint is received against the petitioner, the respondent-police shall issue written summons/notice under Section



Crl.OP(MD)No.22680 of 2025

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 petitioner's appearance.

(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.

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

10.12.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Rmk



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Crl.OP(MD)No.22680 of 2025

To

- 1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.OP(MD)No.22680 of 2025

L.VICTORIA GOWRI, J.

Rmk

CRL OP(MD)No.22680 of 2025

10.12.2025