



Crl.OP(MD)No.22676 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).No.22676 of 2025

M.Sivakumar

... Petitioner

Vs.

1.The State of Tamilnadu Rep. By its,
The Superintendent of Police,
Dindigul Superintendent of Police Office,
Dindigul.

2.The Deputy Superintendent of Police,
District Crime Branch,
Dindigul.

3.T.Tamilisai

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to issue direction to the second respondent not to harass the petitioner under the guise of enquiry.



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For Petitioner : Mr.B.Chandramohan
For Respondent : Mr.M.Sakthi Kumar, (for R1 & R2)
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioner under the guise of enquiry.

2. Considering the limited scope of the relief sought for, notice to the 3rd respondent is dispensed with.

3. The learned counsel for the petitioner submitted that the petition is all about a money dispute between the petitioner and the 3rd respondent. The petitioner alleges that the 2nd respondent police are acting arbitrarily, illegally, and beyond their jurisdiction, and has filed a petition seeking protection from harassment.



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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 petitioner's apprehension 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 62 of Cr.P.C/64 of 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.



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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.

11.12.2025

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



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To

1. The Superintendent of Police,
Dindigul Superintendent of Police Office,
Dindigul.
2. The Deputy Superintendent of Police,
District Crime Branch,
Dindigul.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

vsg

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