



Crl. O.P(MD) NO. 22952 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl. O.P(MD) No. 22952 of 2025

Veerasamy

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep By, The Superintendent of Police,
Dindigul District.

2. The Deputy Superintendent of Police,
Vedasandur,
Dindigul District.

3. The Inspector of Police,
Vedasandur Police Station,
Dindigul District.

4. Palaniyammal

5. Mallika

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to direct the respondent police not to harass the petitioner and his family members.



Crl. O.P(MD) NO. 22952 of 2025

For petitioner :Mr. V.S.Ariharasudhan
For R1 to R3 :Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed seeking a direction to the respondent police not to harass the petitioner and his family members.

2. The case of the prosecution is that the petitioner had been the tenant of the fourth respondent and the fifth respondent is the sister of the fourth respondent. The petitioner obtained an amount of Rs.9,00,000/- from the respondents 4 and 5 on the promise that he would get a job for the fifth respondent. However, he neither arranged a job nor returned the money. Regarding the same, a complaint was lodged by the respondents 4 and 5, following which the respondent police subjected the petitioner to continuous harassment.

3. The learned counsel for the petitioner submitted that the petitioner had never ever borrowed any amount at any point of time.



Crl. O.P(MD) NO. 22952 of 2025

4. The learned Government Advocate (Crl.Side), Mr.M.Sakthi Kumar, on instructions, submitted that the petitioner himself had accepted the factum of having obtained an amount of Rs.9,00,000/- under the guise of obtaining a job for the fifth respondent and he himself had given an undertaking that he will return the same. However, the said exercise has not been done and hence, the police is left with no other option than calling the petition for enquiry again and again to give quietus to the issue.

5. This Court has heard both sides and perused the records.

6. Considering the submissions made by the learned Government Advocate (Crl.Side), this Court is of the considered view that the petitioner should duly cooperate with the enquiry with the third respondent police. However, the respondent police is directed to conduct the enquiry without harassing the petitioner.

7. Further, to allay the petitioner's apprehensions and to ensure fairness, the following directions are issued:



Crl. O.P(MD) NO. 22952 of 2025

(a) On the complaint received against the petitioner, 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 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.

(e) The respondents shall refrain from interfering in or attempting to adjudicate private civil rights between the parties.



Crl. O.P(MD) NO. 22952 of 2025

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

15.12.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
apd

To

1. The Superintendent of Police,
Dindigul District.

2. The Deputy Superintendent of Police,
Vedasandur,
Dindigul District.

3. The Inspector of Police,
Vedasandur Police Station,
Dindigul District.

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



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Crl. O.P(MD) NO. 22952 of 2025

L.VICTORIA GOWRI,J

apd

Crl O.P.(MD) No. 22952 of 2025

15.12.2025