



*Crl.O.P.(MD)No.23512 of 2025*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **19.12.2025**

CORAM:

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

Crl.O.P.(MD)No.23512 of 2025

Karthick

... Petitioner

Vs.

1.The State of Tamil Nadu Rep. by its,  
The Commissioner of Police,  
Office of the Commissioner of Police,  
Madurai District.

2.The Assistant Commissioner of Police,  
Office of the Assistant Commissioner of Police,  
Tallakulam Town,  
Madurai City.

3.The Inspector of Police,  
Tallakulam Police Station,  
Madurai City.

4.The Inspector of Police,  
Central Crime Branch,  
Madurai District.

5.Sivakumar

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023, to direct the respondents 1 and 2 not to harass the petitioner under the guise of enquiry conducting by the respondents 3 and 4 vide its summon No.GNQ880/PG/Camp/TC-South/MC/2025, dated 31.07.2025 on the basis of



*Crl.O.P.(MD)No.23512 of 2025*

the complaint given by the 5<sup>th</sup> respondent and consider the petitioner's explanation and representation dated 28.08.2025 and 12.12.2025.

For Petitioner : Mr.Kannan Gurusami

For Respondent : Mr.S.Ravi,

Additional Public Prosecutor

### **ORDER**

Seeking a direction to the respondents 1 and 2 not to harass the petitioner under the guise of conducting an enquiry pursuant to the summons in No.GNQ880/PG/Camp/TC-South/MC/2025, dated 31.07.2025, issued by the respondents 3 and 4 on the basis of the complaint given by the fifth respondent, and to consider the petitioner's explanation and representations dated 28.08.2025 and 12.12.2025, this petition has been filed.

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

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor on instructions, submitted that the matter is all about the illegal kidney racketing. The petitioner had obtained a sum of Rs.30,00,000/- by promising to arrange a kidney for the ailing son of the fifth respondent.



*Crl.O.P.(MD)No.23512 of 2025*

Thereafter, he neither returned the money nor arranged a kidney for the fifth respondent's son. In this regard, the fifth respondent lodged a complaint before the first respondent. The first respondent forwarded the same to the third respondent Police. Pursuant to which, the petitioner was called for enquiry.

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

5. To allay the petitioner's apprehension and to ensure fairness, the following directions are issued:

(a) With respect to the complaint 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.

(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



*Crl.O.P.(MD)No.23512 of 2025*

written notice, enabling him to seek legal remedies including anticipatory bail.

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(d) If the dispute is found to be civil in nature, the complaint shall be closed forthwith, without any coercive or intimidatory action.

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

**19.12.2025**

NCC : Yes / No  
Index : Yes / No  
vsg



*Crl.O.P.(MD)No.23512 of 2025*

WEB COPY **TO:-**

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Madurai District.
- 2.The Assistant Commissioner of Police,  
Office of the Assistant Commissioner of Police,  
Tallakulam Town,  
Madurai City.
- 3.The Inspector of Police,  
Tallakulam Police Station,  
Madurai City.
- 4.The Inspector of Police,  
Central Crime Branch,  
Madurai District.
- 5.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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*Crl.O.P.(MD)No.23512 of 2025*

**L.VICTORIA GOWRI, J.**

vsg

Order made in  
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Dated  
19.12.2025