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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 19.12.2025

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.23717 of 2025

A.Sugnaya

... Petitioner

Vs.

1. The State of Tamilnadu,
Rep. by the Superintendent of Police,
Ramnad, Ramanathapuram District.

2. The Additional Superintendent of Police,
Cyber Crime Prevention Against Women and Children,
Ramnad,
Ramanathapuram District.

3. Balamalathi

...Respondents

PRAYER: Criminal Original Petition has been filed under Section 482 of Cr.P.C., to direct the 2nd respondent not to harass the petitioner in the name of enquiry basis on the false complaint given by the 3rd respondent.

For Petitioner : M/s.C.Jeganathan

For Respondents : Mr.S.Ravi
Additional Public Prosecutor for
R1 and R2



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ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent not to harass the petitioner in the name of enquiry basis on the false complaint given by the 3rd respondent.

2. Mr.C.Jeganathan, the learned counsel for the petitioner submitted that the third respondent has given a complaint to the second respondent police claiming that she is the wife of the petitioner's husband. In this regard, the second respondent is harassing the petitioner and sought for indulgence of this Court. He further submitted that her husband has suffered a brain stroke and he is bedridden and the petitioner had spent a sum of Rs.80,00,000/- by admitting him in Meenakshi Mission Hospital, Madurai, and still he is under treatment at Coimbatore.

3. Per contra, Mr.S.Ravi, the learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, submitted that the petitioner has lodged a complaint to the first respondent police. In fact the petitioner is the second wife of Ashok Kumar and the third respondent has given a complaint to the Deputy Inspector General of Police, Ramanathapuram,



and the same has been forwarded to the second respondent. In this regard, a summon under section 179(1) and 94 BNSS has been issued to the petitioner in accordance with law. However, the petitioner without appearing for the enquiry has filed this Criminal Original Petition.

4. Heard the learned counsel appearing on either side, and carefully perused the materials available on record.

5. On perusal of the records, it is understood that the second respondent has issued summon in accordance with law. The petitioner is directed to appear before the second respondent and co-operate with the inquiry to ally the petitioner.

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

(a) With respect to the complaint received against the petitioner, the second 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.

(c) If the police, upon enquiry, conclude that a cognizable offence is made out and propose to register an FIR, the petitioners shall be given prior written notice, enabling them 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.

19.12.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



To

1. The Superintendent of Police,
Ramnad, Ramanathapuram District.
2. The Additional Superintendent of Police,
Cyber Crime Prevention Against Women and Children,
Ramnad,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

RJR

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