



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 10170 of 2026

AND

CRL MP NO. 7250 OF 2026

1. Santhoshkumar
2. V.Subiramaniyan
3. Chitra

Petitioners

Vs

1. State rep by
Inspector of Police,
All Women Police station,
Velur.

2.Malini

Respondents

PRAYER

This criminal original petition is preferred under section 528 of BNSS, 2023 seeking to set aside the order dated 20.02.2026 passed in CrI.MP.No.411/2025 on the file of the Judicial Magistrate Court, Paramathy and to pass such other suitable orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner(s): Mr.B.Thirumalai

For Respondent(s): Mr.R.Rajasekaran,
Counsel for Government of



Tamil Nadu (Criminal side)
for R1

ORDER

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The petitioners aggrieved over the order passed by the learned Judicial Magistrate, Paramathy in CrI.M.P.No.411 of 2025, dated 20.02.2026, have filed the present petition. The second respondent herein has filed the above CrI.M.P.No.411 of 2025 before the said Judicial Magistrate Court for a direction to register the FIR based on her complaint dated 20.05.2025.

2.It is the contention of the learned counsel for the petitioners that the petitioners even prior to the above impugned order had appeared before the respondent police and gave their explanation. It is further submitted that a HMOP No.82 of 2025 is pending before the Family Court, Karur. The second respondent has filed a maintenance case in M.C.No.12 of 2025 and DVC No.12 of 2025. It is further submitted by the learned counsel for the petitioners that the petitioners have obtained anticipatory bail in CrI.O.P.No.21619 of 2025 and were directed to participate and cooperate for the enquiry. The petitioners were served with summons on 14.05.2026 for their appearance on 15.05.2026 at the last minute and hence, they could not appear for enquiry on 15.05.2026.

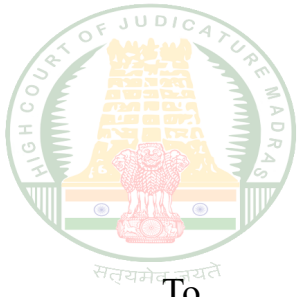
3.Mr.R.Rajasekaran, learned counsel for Government of Tamil Nadu (Criminal side) is before this court for the first respondent and made submissions.



4. In the light of the submissions made and on perusal of the materials available on record, this court is not inclined to set aside the order passed by the court below but a direction can be issued to the respondents police to issue summons afresh to the petitioners for their appearance for the enquiry. Accordingly, the first respondent police is directed to issue summons to the petitioners well in advance at least by giving seven days time for their appearance. Thereafter, the petitioners shall appear before the first respondent police and cooperate for the enquiry as per the order of this court made in Crl.O.P.No.21619 of 2025. On the appearance of the petitioners, the first respondent police shall conduct enquiry as per the dictum laid down by the Hon'ble Supreme Court in *Lalita Kumari Vs. Government of Uttar Pradesh* reported in **(2014) 2 SCC 1** and if any cognizable offence is made, the first respondent shall proceed further in accordance with law. With the above directions, this criminal original petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

08-06-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To
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1. Inspector of Police,
All Women Police station, Velur.

2. The Government Advocate
(Criminal side),
High Court of Madras,
Chennai



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M.NIRMAL KUMAR J.

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