



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. 10147 of 2026

1. M.Sengottaiyan
2. S.Sampath
3. S.Sharmila

Petitioners

Vs

1. The Superintendent of Police
O/o The Superintendent of Police,
Namakkal District -637003
- 2.The Inspector of Police
Thiruchengodu Rural Police Station,
Tiruchengode - 637 211

Respondents

PRAYER

This criminal original petition is preferred under section 528 of BNSS seeking for a direction to the respondents from in any manner not to harass the petitioners by repeatedly summoning them or conducting enquiry in respect of complaint in CSR No.179 of 2025 which pertains to a purely civil dispute already pending adjudication before the competent civil court and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.



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For Petitioner(s): Ms.Manne Ramya
For Respondent(s): Mr.R.Rajasekaran,
Counsel for Government of
Tamil Nadu (Criminal side)

ORDER

The petitioners, aggrieved over the repeated summoning by the respondent police in the guise of enquiry in respect of a complaint in CSR No.179 of 2025, have filed this criminal original petition seeking direction to the respondents police not to harass them.

2.It is the contention of the learned counsel appearing for the petitioners that there was a civil dispute between the petitioners and one Rukmini. On a complaint given by the said Rukmini, the petitioners were called for enquiry. It is submitted that the petitioners appeared for enquiry, gave explanation and have submitted supporting documents. It is further submitted that civil proceedings have been initiated in O.S.Nos.216 of 2024 and 231 of 2024 and the same are pending before the District Munsif, Tiruchengode. Further, the first petitioner herein has filed a writ petition in W.P.No.34428 of 2024 seeking to survey and demarcate the property in question. The said writ petition was allowed vide order dated 19.11.2024. This being so, the respondents police in the guise of enquiry are harassing the petitioners and hence, the present petition has been preferred before this court.

3.The learned Government Advocate (Criminal side) submitted that the



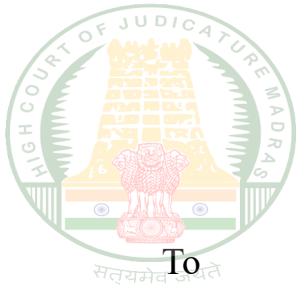
respondent police would conclude the enquiry within a reasonable period and no harassment would be caused to the petitioners.

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4. This court heard the submissions made by both sides and has perused the materials available on record. It is seen that there is a civil dispute pending between the petitioners and one Rukmini. Civil proceedings have been initiated and the same are pending before the jurisdictional court. Further, it is seen that the first petitioner has also filed a writ petition which was also allowed. In the light of the fact that already a civil dispute is pending and the first petitioner being a senior citizen, calling the petitioners repeatedly for an enquiry is not proper. If the presence of the petitioners is required for enquiry, proper summons shall be issued to them in a manner known to law and thereafter only, the petitioners shall be called for enquiry. In any event, the respondents police is directed to conclude the enquiry within a period of two months from the date of receipt of copy of this order. It is made clear that in the guise of enquiry, the petitioners shall not be harassed. With the above observations and directions, this criminal original petition is disposed of. No costs.

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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O/o The Superintendent of Police,
Namakkal District -637003
2. The Inspector of Police
Thiruchengodu Rural Police Station,
Tiruchengode - 637 211
3. The Government Advocate
(Criminal side),
Madras High Court,
Chennai.



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M.NIRMAL KUMAR J.

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