



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 14408 of 2026

1. Abhishek Surana
S/o. Ramesh Kumar Surana,
2. Ramesh Kumar Surana
S/o. Ramesh Kumar Surana,
3. Leela Surana
W/o. Ramesh Kumar Surana,

All are residing at
No.9/10, Sivanandham colony,
Korattur, Chennai District.

..Petitioner(s)

Vs

1. The Commissioner of Police
Avadi Commissionerate, Avadi
2. The Inspector of Police
W-28 All Women Police Station,
Ambattur, Chennai - 600 05.

..Respondent(s)

PRAYER: The criminal original petition filed under Section 528 of BNSS Act to direct the 2nd respondent not to harass the petitioners in any manner except by due process of law and render justice.

For Petitioner(s): Mr.M.Rajkumar

For Respondent(s): Mr.A.Amarnath
Govt. Advocate (Crl.Side)
For R1 And R2

Ms.R.Suchitha Jain
for defacto complainant

**ORDER**

This criminal original petition has been filed to direct the 2nd respondent

not to harass the petitioners in any manner except by due process of law.

2.The learned counsel for the petitioners submitted that on a complaint given by the estranged wife of the first petitioner, the petitioners were called by the respondent police unnecessarily causing harassment and they have been called at odd hours within short notice. It is a purely matrimonial dispute. The first petitioner had already taken steps and approached the family Court. He further submitted that for earlier on similar situation, the petitioners filed anticipatory bail application in Crl.OP No.7827 of 2026 and this Court by order dated 27.03.2026, recording the submission of Govt. Advocate (Crl.side) that no case has been registered and the petitioners are only required for an enquiry, directed the respondent police to complete the enquiry within a period of two weeks, but after months, still the harassment continues.

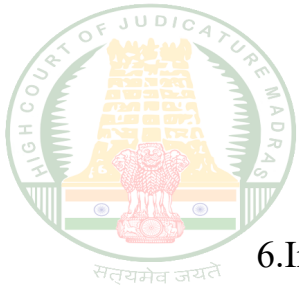
3.The learned counsel for the defacto complainant though not arrayed as respondent but appeared and submitted that the defacto complainant Sangeetha married the first petitioner and it was an arranged marriage. After the marriage, they have residing together happily and they have also a female child. The first petitioner started a business in the name of Make Wood Furniture, at Poonamallee and unfortunately, he suffered a loss. Thereafter, he demanded



additional dowry and there was a misunderstanding between them. Hence, the defacto complainant lodged a complaint to the second respondent W-28 All Women Police Station. Based on the complaint, CSR.No.185 of 2026 assigned but no proper enquiry has been conducted. The defacto complainant was not even called for to verify a statement and also record any further statement. The de facto complainant has been deserted and is now suffering along with her 13-year-old daughter. She is finding it difficult even to console and provide moral support to the young girl, who is at a crucial stage of her life. The child is currently denied the love and affection of her father and grandparents; therefore, the petitioner's desertion is completely unjustifiable.

4.Further, the learned counsel for the defacto complainant submitted that the school fees for the daughter were not paid for three years and to sustain her education, the defacto complainant has been taking out loans and pleading with family members. This factors to be considered and appropriate steps should be taken by the enquiry officer.

5.The learned Govt. Advocate (Crl.side) appearing for the 1st and 2nd respondents submitted that initially, the petitioners were served with a summons for their appearance on 10.04.2026. Thereafter, they have not appeared. He fairly submitted that the defacto complainant was not called for enquiry after receipt of the complaint.



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6. In view of the above, this Court directs the Assistant Commissioner of Police, to conduct an enquiry in the presence of the lady police officer and to conclude the enquiry within a period of two months and thereafter, to proceed in accordance with law.

7. In view of the above direction, the criminal original petition is disposed of.

09-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
sms

To

1. The Commissioner of Police
Avadi Commissionerate,
Avadi
2. The Inspector of Police
W-28 All Women Police Station,
Ambattur, Chennai - 600 005.
3. The Public prosecutor
High Court, Madras.



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M.NIRMAL KUMAR, J.

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