



WEB COPY

CRL OP No. 15100 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15100 of 2026

Marvin Marappan
S/o.Marappan,
12/650, Thuthurmattam,
Coonoor,
Neelagiri.

..Petitioner(s)

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Karumathampatti (Sulur),
Coimbatore district.

..Respondent(s)

Criminal Original Petition is filed under Section 528 of BNSS to call for records pertaining to the undated summon issued by the respondent in CSR No.334 of 2026 on the file of the respondent and quash the same as violation of law and pass such other or further orders as this Hon' ble court.

For Petitioner(s): K.Suresh Babu

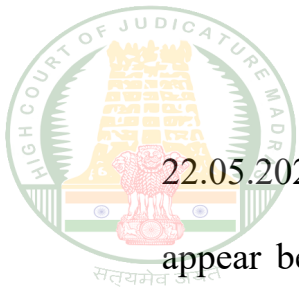
For Respondent(s): M/S.A. AMARNATH GA (CRL. SIDE)



ORDER

The petitioner challenging the notice issued by the respondent in respect of the case in C.S.R.No.334 of 2026, had filed this petition.

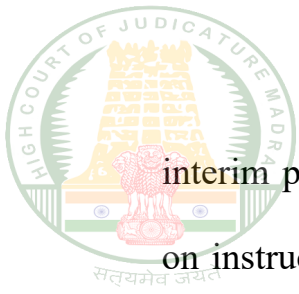
2. The contention of the petitioner is that the petitioner and the *de facto* complainant were settled in the United States of America and owing to certain difference of opinion, they have mutually agreed to dissolve their marriage and consequently obtained a decree of divorce by mutual consent and the divorce was granted on 04.01.2025. The Decree of Divorce specifically records that the custody of the child shall remain with the petitioner in situations where the defacto complainant is incapacitated or otherwise unable to take care of the minor child. Now the petitioner's estranged wife had shifted to Kerala along with his minor child and subsequently she had married one Pasupathy who is a stranger to the minor child which has caused serious concern to the petitioner and the petitioner is worried about the welfare and well-being of his minor child. The learned counsel for the petitioner further submits that the estranged wife of the petitioner and the said Pasupathy had given a false complaint and with the aid of police, they are attempting to take the custody of the minor child. The petitioner had filed a complaint with the Child Welfare Committee, Coimbatore in CWC No. 442/2026 on 18.05.2026 and after an elaborate enquiry, orders have been passed. The petitioner had earlier filed a petition for Anticipatory Bail in Crl.O.P.No.13511 of 2026 and this Court vide order dated



22.05.2025 granted interim protection to the petitioner and directed him to appear before the respondent police and cooperate with the investigation and posted the matter on 15.06.2025. The learned counsel for the petitioner further submitted that the case was listed today (16.06.2026) and the interim protection already granted by this Court is extended for another two more weeks. Hence, the issuance of this notice is not required and the same is liable to be quashed.

3. The learned Counsel for Government of Tamil Nadu (Criminal Side) strongly opposed the contention of the petitioner and submitted that it is the petitioner who had approached this Court and filed an Anticipatory Bail petition in CrI.O.P.No.13511 of 2026 and this Court had directed the petitioner to appear before the respondent police and cooperate with the investigation. Pursuant to the same, notice has been issued to the petitioner. Though there is a reference in the notice with regard to the order of this Court, the number of the Criminal Original Petition has not been recorded. Taking note of the same, the petitioner has filed this petition to quash the notice which is improper.

4. Considering the submissions and upon perusal of the materials, it is seen that the petitioner had filed an Anticipatory Bail petition in CrI.O.P.No.13511 of 2026 and in that proceedings, he undertakes that he will cooperate with the investigation and appear before the respondent police and he also confirms that today it was listed and this Court granted two more weeks of



interim protection. In view of the same, the learned counsel for the petitioner, on instructions, submits that the petitioner would appear before the respondent police on 20.06.2026 and give his explanation and submit the supporting documents.

5. Recording the submission of the learned counsel for the petitioner, this Criminal Original Petition is disposed.

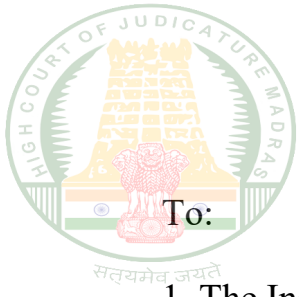
15-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

BKN



To:

1. The Inspector of Police,
All Women Police Station,
Karumathampatti (Sulur),
Coimbatore District.

2. Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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