



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2026

CORAM

THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).No.120 of 2026

1.G.R.Muralidharan
2.T.Geetha

... Petitioners

Vs.

1.State rep., by
The Commissioner of Police,
Madurai City Commissioner Office,
Madurai District.

2.The Inspector of Police,(Crime Branch),
South Gate Police Station,
Madurai District.

3.Vijayapoornima

.. Respondents

PRAYER: This Criminal Original Petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to direct the first respondent to instruct the second respondent not to harass the petitioners and their family members.

For Petitioner : Mr.N.Juliet Latha

For R1 & R2 : Mr.S.Ravi

Additional Public Prosecutor

For R3 : Mr.Poorna Chanrdran



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ORDER

This Criminal Original Petition has been filed to direct the first respondent to instruct the second respondent not to harass the petitioners and their family members.

2. Considering the nature of the relief sought for, notice to the third respondent is dispensed with.

3. The learned counsel for the petitioners submitted that there is a civil dispute between the petitioners and the third respondent. He further submitted that the third respondent has given a complaint, leading to a summons for enquiry at the second respondent police Station. Despite the dispute being civil in nature, the second respondent police is allegedly pressuring the petitioners to appear, causing harassment.

4. However, the learned Government Advocate, Mr.M.Sakthi Kumar (Crl.side) on instructions, submitted that an enquiry is pending on the complaint given by the third respondent against the



petitioners and the same will be concluded within a short period of time.

5. Heard the learned counsels on either side and carefully perused the materials available on record.

6. This Court is conscious that under Section 528 BNSS, 2023, it may issue appropriate directions to ensure that police powers are exercised strictly in accordance with law and not in a manner that converts civil disputes into criminal proceedings without the essential ingredients of an offence being made out.

7. To allay the petitioners' apprehensions and to ensure fairness, the following directions are issued:

(a) In the complaint received against the petitioners, the respondent-police shall issue written summons/notice under Section 62 Cr.P.C./ 64 BNSS, 2023, specifying the date, time, and purpose of enquiry. Oral or informal summons are prohibited.



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(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.

(e) The respondents shall refrain from interfering in or attempting to adjudicate private civil rights between the parties.

8. With the above directions, this Criminal Original Petition is allowed.

08.01.2026

NCC : Yes/No
Index : Yes / No
Rmk



To

- 1.The Commissioner of Police,
Madurai City Commissioner Office,
Madurai District.
- 2.The Inspector of Police,(Crime Branch),
South Gate Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI,J.,

Rmk

Cr1.O.P.(MD).No.120 of 2026

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