



Crl.OP(MD)No.272 of 2026

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.272 of 2026

1.Revathi
2.Indirani Palanisamy
3.Palanisamy Chellappagoundar ...Petitioners

Vs.

1.The Director General of Police,
O/o the Director General of Police,
Mylapore, Chennai 600 004.

2.The Inspector General of Police,
South Zone,
Madurai.

3.The Commissioner of Police,
Tirunelveli City,
Tirunelveli District.

4.The Inspector of Police,
Perumal Puram Police Station,
Tirunelveli City,
Tirunelveli District. ... Respondents



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Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the respondents 3 and 4 and their Subordinate Officers Not to Harass the petitioners under the guise of enquiry except in accordance with due process of law.

For Petitioners : Mr.A.Velan

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking direction to the respondents 3 and 4 and their Subordinate Officers Not to Harass the petitioners under the guise of enquiry except in accordance with due process of law.

2.The learned counsel for the petitioners categorically contended that the petitioners are continuously subjected to harassment by the third and fourth respondent police in relation to a criminal case, which has been registered as against the husband of the first petitioner. The second and third petitioners are the parents of the first petitioner. An First Information Report in Crime No.259 of 2025 was registered at



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Perumal Puram Police Station, Tirunelveli City, on 20.11.2025 as against the husband of the first petitioner alleging commission of various offences, including criminal trespass at the office of the Deputy Director, Fire and Rescue Services, Tirunelveli. The husband of the first petitioner was working as an Assistant Director Fire Officer in the Fire and Rescue Services Department at Tirupur. In this regard, the first petitioner's husband had already made an application for anticipatory bail before this Court and the same was dismissed. Pursuant to the dismissal order, it is claimed by the learned counsel for the petitioners that the petitioners are continuously subjected to harassment, more particularly, without following any procedure established by law. That apart, he pointed out that the fourth respondent police had frequently visited the house of the first petitioner and her parents, used unparliamentary language, indulged in questioning the personal integrity and private life of the first petitioner, including her relationship with her husband, and thereby created alarm and discomfort, interfering with her privacy. That apart, shockingly, the counsel also disclosed that the fourth respondent police and their men



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went to the extent of frequently visiting the house of the counsel in the name of searching for the accused.

3.Per contra, the learned Government Advocate (Crl. Side), appearing for the respondent police, categorically contended that it is the bounden duty of every citizen of this land to disclose information relating to any absconding accused and that even an Advocate is not absolved of such duty if he has knowledge of the particulars of an absconding accused. The investigating officer had thoroughly verified the call detail records of the first petitioner and her parents and, on such verification, came to the conclusion that the petitioners were in continuous contact with the absconding accused. It was contended that the queries raised by the fourth respondent police were only in this context, that no illegality was involved, and accordingly dismissal of the petition was sought.

4.Heard the submissions made on either side and carefully perused the materials available on record.



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5.Considering the submission made, this Court is of the view that even if it is an enquiry in the name of requiring details of an absconding accused, the same has to be exercised only in the manner known to law.

6. In view of the same, to allay the fear of the petitioners with respect to the investigation pending before the fourth respondent in searching of an absconding accused, the following directions are issued:

(i) If any details are required from the petitioners regarding the absconding accused, 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.

(ii) The enquiry, if undertaken, shall be completed within two weeks from the date of the petitioner's appearance.



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

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NCC : Yes / No

Index : Yes / No

Rmk

To

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- 2.The Inspector General of Police,
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Madurai.
- 3.The Commissioner of Police,
Tirunelveli City,
Tirunelveli District.
- 4.The Inspector of Police,
Perumal Puram Police Station,
Tirunelveli City,
Tirunelveli District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Rmk

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