



CRL OP(MD). No.1815 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 30/01/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

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Jeya Prakash

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep by the Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Dindigul District.

2. The Inspector of Police,
O/o.The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.

3. Nazer Ahamaed

4. Alismary

5. Kvm Jeeva

6. Justin

... Respondents

PRAYER :-

To issue a direction to the Respondent No.2 respondent not to interfere in the civil dispute in guise of enquiry based upon the complaint given by the private respondents.

1/6



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For Petitioner : M/s. S. Prabha,
Advocate.

For Respondent : Mr.M.Sakthi Kumar for R1 and R2
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the Respondent No.2 respondent not to interfere in the civil dispute in guise of enquiry based upon the complaint given by the private respondents.

2. Considering that no adverse order is likely to be passed as against the respondents 3 to 6, notice to the respondents 3 to 6 is dispensed with.

3. The learned counsel for the petitioner submitted that the matter is all about a civil suit, between the petitioner and the respondents 3 to 6, in which already a suit in O.S.No.98 of 2024 before the District Munsif Court, Kodaikanal, has been filed by the petitioner and a suit in O.S.No. 60 of 2024 has been filed by the third respondent herein before the same Court. Pending the same, the respondents 3 to 6 have lodged a complaint



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against the petitioner, leading to a summons for enquiry at the 2nd respondent police Station. Despite the dispute being civil in nature, the 1st and 2nd respondent police are allegedly pressuring the petitioner to appear, causing harassment.

4. However, the learned Government Advocate, Mr.M.Sakthi Kumar (Crl.side) on instructions, submitted that as on date, no complaint is pending against the petitioner.

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.



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

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

(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.



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

30.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

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To

the Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Dindigul District.

2. The Inspector of Police,
O/o.The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L. VICTORIA GOWRI, J

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