



Crl.O.P(MD)No.933 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.933 of 2026

Malaikolundhan

... Petitioner

Vs.

1.The Superintendent of Police,
Karur District.

2.The Deputy Superintend of Police,
Kulithalai.
Karur District.

3. Tr. Kannadhasan,
The Sub Inspector of Police,
Sinthamanipatty Police Station,
Karur District.

4. Selvi

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the 3rd respondent not to harass the petitioner under the guise of enquiry without due process of law.



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For Petitioner : Mr.J.Sivaram
For R1 – R3 : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)
For R4 : Mr.N.Shanmuga Selvam

ORDER

This Criminal Original Petition is filed seeking to direct the 3rd respondent not to harass the petitioner under the guise of enquiry without due process of law.

2. The petitioner has lodged a complaint against the 4th respondent regarding land dispute and the 1st respondent numbered the same as Ref.No.MUM25634874 dated 25.12.2025, but no CSR has been issued. To counterblast the same, the 4th respondent has also lodged a complaint against the petitioner. Pursuant to the same, the 3rd respondent called the petitioner and threatened to withdraw the complaint lodged by him. Subsequently, the 3rd respondent police is harassing the petitioner and his family without issuing any summons



compelling them to attend the enquiry before the police station.

Therefore, this petition.

3. The learned Government Advocate (Crl.Side) submitted that this is a case and case in counter between the petitioner and the 4th respondent. In this regard, enquiry has been initiated and the same is pending.

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

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

(a) With respect to the complaint received against the petitioner, the respondent-police shall issue written summons/notice under Section 41-A Cr.P.C/35(3) BNSS, 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 petitioner's appearance.

(c) If the police, upon enquiry, conclude that a cognizable offence is made out and propose to register an FIR, the petitioner shall be given prior written notice, enabling him 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.

6. With these directions, this Direction Petition stands disposed of.

20.01.2026

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

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To

1.The Superintendent of Police,
Karur District.



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2. The Deputy Superintend of Police,
Kulithalai.
Karur District.

3. The Sub Inspector of Police,
Sinthamanipatty Police Station,
Karur District.

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



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L.VICTORIA GOWRI, J.

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