



CRL OP(MD). No.737 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 12/01/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.737 of 2026

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... Petitioner

Vs

1.The Superintendent of Police,
Theni District.

2. The Commissioner of Police,
Coimbatore.

3. The Inspector of Police,
Town Police Station,
Theni,
Theni District.

4. The Inspector of Police,
Goundampalayam Police Station,
Coimbatore.

5.Meena

... Respondents

PRAYER :-

To direct the respondents 3 and 4 not to harass the petitioner under the
guise of enquiry.

For Petitioner : M/s.H.Mahamed Hussai
Advocate.



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For Respondent : Mr.M.Sakthi Kumar for R1 to R4
Government Advocate (Crl.Side)

Mr.C.Susikumar for R5

ORDER

This Criminal Original Petition is filed to direct the respondents 1 and 2 not to harass the petitioner in the guise of enquiry by considering the representation dated 27.12.2025.

2. The learned counsel for the petitioner submitted that there is a family dispute between the petitioner and the 5th respondent. He further submitted that the 5th respondent filed a complaint, leading to a summons for enquiry at the respondent police Station. Despite the dispute being family dispute, the 3rd and 4th respondent police are allegedly pressuring the petitioner to appear, causing harassment.

3. However, the learned Government Advocate, Mr.M.Sakthi Kumar (Crl.side) on instructions, submitted that due to matrimonial dispute, the petitioner has separated from her husband and is presently living in Koundampalayam, Coimbatore. Her husband lodged a missing



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complaint before the third respondent police and the a first information report was registered in crime No.734 of 2025 following which the petitioner had appeared before the 3rd respondent police and had informed that due to matrimonial dispute with her husband, she had separated from him and she is residing in her parents home. In the meanwhile, the fifth respondent has filed a complaint against the petitioner herein before the 4th respondent police and the same was brought to the 3rd respondent police and a statement was obtained by the 3rd respondent police. The 5th respondent who is none other than the petitioner's brother's wife, who has lodged a complaint stating that the petitioner had obtained 15 sovereigns of gold jewellery belonging to the 5th respondent and had swindled the same. However, the counsel for the petitioner claimed that the jewellery has been misused by the petitioner's husband and not by the petitioner. He further submitted that enquiry is pending on the complaint given by the 5th respondent against the petitioner and the same will be concluded within a short period of time.

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



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5. 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.

6. 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., 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.



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(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.

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

12.01.2026

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

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L. VICTORIA GOWRI,J

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To

- 1.The Superintendent of Police, Theni District.
2. The Commissioner of Police, Coimbatore.
3. The Inspector of Police, Town Police Station, Theni,
Theni District.
4. The Inspector of Police, Goundampalayam Police Station,
Coimbatore.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No.737 of 2026

V

Date : 12/01/2026