



Crl.O.P(MD)No.886 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.886 of 2026

and

Crl.M.P(MD)No.962 of 2026

Radha

... Petitioner/Accused

Vs.

The Sub-Inspector of Police,
District Crime Branch Unit-II,
District Police Office,
Subramaniapuram,
Trichy District.

... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the impugned Summons dated 05.01.2026 issued by the respondent Police and quash the same as illegal and unconstitutional.

For Petitioner : Mr.B.Jameelarasu

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



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ORDER

Seeking to call for the records pertaining to the impugned summons dated 05.01.2026 issued by the respondent police and quash the same as illegal, this criminal original petition is filed.

2. The learned counsel for the petitioner submitted that in a matter which was already closed, the police has issued summons. The same need to be interfered.

3. The learned Government Advocate(Crl.Side) submitted that it is true that earlier FIR in Crime No.26 of 2021 came to be registered as against the petitioner from the offence under Section 420 IPC. However, the same was closed by filing a referred charge sheet. Pursuant the same, the *defacto* complainant preferred a revision before this Court in Crl.R.C(MD)No.201 of 2023 and the same was allowed by the order of this Court on 03.03.2023. In compliance of the order passed by this Court, the respondent police has reopened the case and has issued summons.



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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 with respect to the summons issued to the petitioner, the following directions are issued :

(i) The petitioner is directed to appear before the respondent police with respect to the reopened case on the date as may be fixed.

(ii) The respondent police is directed to issue a fresh written summons/notice under Section 94 BNSS specifying the date, time, and purpose of enquiry.

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

(iv) If the dispute is found to be civil in nature, the complaint shall be closed forthwith, without any coercive or intimidatory action.



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5. With the above directions, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

22.01.2026

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

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To

- 1.The Sub-Inspector of Police,
District Crime Branch Unit-II,
District Police Office,
Subramaniapuram,
Trichy District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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