



Crl.OP(MD)No.1050 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :21.01.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).No.1050 of 2026

Malaisamy

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep by The Superintendent of Police,
O/o.The Superintendent of Police
Theni District.
- 2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Bodinayakkanur,
Theni District.
- 3.The Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.
- 4.The Sub Inspector of Police,
Kurangani Police Station,
Bodinayakkanur Rural,
Theni District.
- 5.Vanankamudi

... Respondents



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Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the respondent No.3 and 4 for not to harass the petitioner by intervening in the civil dispute on the basis of the petitioner's representation dated 22.12.2025 in accordance with law.

For Petitioner : Mr.R.Alagumani
For R1 to R4 : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)

ORDER

Seeking direction to the respondents 3 and 4 for not to harass the petitioner by intervening in the civil dispute on the basis of the petitioner's representation dated 22.12.2025, this criminal original petition is filed.

2.The learned counsel for the petitioner submitted that the petitioner requires protection from police harassment arising out of a civil dispute with the fifth respondent.



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3.However, the learned Government Advocate (crl.side) appearing for the respondent police, on instructions, submitted that as on date no complaint is pending as against the petitioner and they have not at all harassed the petitioner in any manner.

4.Recording the same, this Criminal Original Petition is disposed of with a direction to the respondent police as follows:

(a) If any complaint is received against the petitioner, the respondent-police shall issue written summons/notice under Section 64 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 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



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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.

(e) The respondents shall refrain from interfering in or attempting to adjudicate private civil rights between the parties.

21.01.2026

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

To

- 1.The Superintendent of Police,
O/o.The Superintendent of Police
Theni District.
- 2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Bodinayakanur,
Theni District.



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3. The Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.
4. The Sub Inspector of Police,
Kurangani Police Station,
Bodinayakkanur Rural,
Theni 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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