



Crl.O.P(MD)No.938 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.938 of 2026

1.M.Praveen

2.M.Palanivelrajan

... Petitioners

Vs.

1.The State of Tamil Nadu,
Rep.by its The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.

3.A.Ambathi Sreenivasa Kiran Kumar

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the 2nd respondent police not to harass the petitioners in the guise of enquiry based on the false and vexatious complaints given by the 3rd respondent and to consider the petitioners' representation dated 05.01.2026.



WEB COPY



Crl.O.P(MD)No.938 of 2026

For Petitioners : M.Vignesh Kumar
For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)

ORDER

This Criminal Original Petition is filed seeking to direct the 2nd respondent police not to harass the petitioners in the guise of enquiry based on the false and vexatious complaints given by the 3rd respondent and to consider the petitioners' representation dated 05.01.2026.

2. The petitioners submit that the 1st petitioner is engaged in RTO-related works, and the 2nd petitioner is the proprietor of “SMP Travels”, Madurai, with the 1st petitioner assisting in the said business. One Rajaram, a former Manager of the 2nd petitioner’s travel business, is presently associated with the 3rd respondent, a Project Head at Madurai–Kanyakumari Tollway Private Limited, Kappalur. Due to professional disputes between Rajaram and the 3rd respondent, a complaint was lodged, resulting in the registration of Crime No.458 of 2025 dated 28.12.2025 against Rajaram, who was later released on bail.



Crl.O.P(MD)No.938 of 2026

On the same day, Loganathan Babu, an employee of the 3rd respondent, lodged another complaint before Vatchakarapatti Police Station, leading to the registration of Crime No.239 of 2025, in which the petitioners were also implicated, despite having no direct involvement in the alleged dispute. Thereafter, the 3rd respondent lodged yet another complaint against the petitioners. Pursuant to the same, the respondent police is continuously harassing the petitioners to appear for enquiry without issuing any summons or written notice. Therefore, this petition.

3. The learned Government Advocate (Crl.Side) submitted that, pursuant to the complaint received, the petitioners called only for enquiry, and that the respondent police have not subjected the petitioners to any harassment.

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



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

(a) With respect to the complaint received against the petitioners, 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.

(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 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.



Crl.O.P(MD)No.938 of 2026

WEB COPY

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

20.01.2026

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

gbg

To

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Thirumangalam Town Police Station,
MaduraiDistrict.

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



WEB COPY



Crl.O.P(MD)No.938 of 2026

L.VICTORIA GOWRI, J.

gbg

Crl.O.P(MD)No.938 of 2026

20.01.2026