



Crl.O.P.(MD)No.1125 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **22.01.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

Crl.O.P.(MD)No.1125 of 2026

Mohanapriya

... Petitioner

Vs.

1. State of Tamil Nadu Represented by
The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

2. The Deputy Superintendant of Police,
Office of the Deputy Superintendent of Police,
Thirumangalam Division,
Madurai District.

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

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 seeking to direct the third respondent not to harass the petitioner in accordance with law.

For Petitioner : Dr.R.Alagumani

For Respondent : Mr.M.Sakthi Kumar

Government Advocate



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ORDER

The petitioner seeks for a direction to the third respondent not to harass the petitioner in accordance with law.

2. The learned counsel for the petitioner submitted that the petitioner is working as a Secretary in a Cooperative Society at Achampattu. The petitioner was induced by one Maruthupandi, to develop certain friendship with him, during which period, certain intimate photographs have been secretly taken by the said Maruthupandi and he was continuously threatening the petitioner that he would expose her for the purpose of extracting money. However, despite the petitioner's complaint, the third respondent police, instead of taking action against the said Maruthupandi, is subjecting the petitioner to harassment. Hence, this petition came to be filed.

3. The learned Government Advocate appearing for the respondent police submitted that the petitioner's counsel has invented an interesting story. However, the reality is inverse. In fact, the petitioner had defrauded the said Maruthupandi, by fraudulently receiving 15 sovereign gold from him and has failed to return the same. In this regard, the said Maruthupandi has already



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lodged a complaint before the third respondent police. and only in that regard, the petitioner was required to appear before the police station for enquiry.

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

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 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 62 Cr.P.C / 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.



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(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 them 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 respondent police 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.

22.01.2026

NCC : Yes / No
Index : Yes / No
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TO:-

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1. The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
2. The Deputy Superintendant of Police,
Office of the Deputy Superintendent of Police,
Thirumangalam Division,
Madurai District.
3. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Sm

Order made in
CrI.O.P.(MD)No.1125 of 2026

Dated
22.01.2026