



Crl.O.P(MD)No.1275 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.1275 of 2026

Ananth

... Petitioner

Vs.

1.The State of Tamil Nadu rep by
The Superintendent of Police,
Sivagangai,
Sivagangai District.

2.The Inspector of Police,
Alagappapuram Police Station,
Sivagangai District.

3.Manikandan

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, directing the second respondent not to harass the petitioner under the guise of enquiry, on basis of the petitioner's representation dated 16.01.2026.

For Petitioner : Mr.G.Hariharan

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



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For R3 : Mr.R.Vinoth

ORDER

Seeking to direct the 2nd respondent not to harass the petitioner under the guise of enquiry based on the petitioner's representation dated 16.01.2026, this criminal original petition is filed.

2. The learned counsel for the petitioner submitted that on a complaint received as against him from the 3rd respondent, the 2nd respondent police is subjecting him to harassment. Hence, this petition.

3. The learned Government Advocate(Crl.Side) submitted that the wife of the 3rd respondent had given a complaint regarding receipt of jewellery by the petitioner's wife and had pledged jewels and failed to redeem the same and return back only. In this regard, a complaint has been lodged. The learned counsel appearing for the 3rd respondent reiterated the same.



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4. However, the learned counsel for the petitioner submitted that he had never ever received any jewellery from the 3rd respondent and it is a concocted story and he is unnecessarily subjected to harassment by the 2nd respondent.

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

6. In view of the disputed facts submitted by the learned counsel for the petitioner, the learned Government Advocate(Crl.Side) and the learned counsel for the 3rd respondent, it is understood that the enquiry has been commenced by the 2nd respondent police only on the complaint received from the 3rd respondent as against the petitioner.

7. 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



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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 petitioner's 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.

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

23.01.2026

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



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To

- 1.The Superintendent of Police,
Sivagangai,
Sivagangai District.
- 2.The Inspector of Police,
Alagappapuram Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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23.01.2026