



CRL OP(MD). No.1381 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 27/01/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.1381 of 2026

Muthukumar

... Petitioner

Vs

1. The State of Tamilnadu Rep.,
By, the Superintendent of Police,
Karur District, Karur.

2. The Inspector of Police,
Thogamalai Police Station,
Karur District.

3. The Sub Inspector of Police,
Sindhmanipatti Police Station,
Kadavur Taluk, Karur District..

4. Arunkumar

... Respondents

PRAYER :-

To Direct the 3rd respondent Not to Harass the petitioner and his family members under the guise of enquiry

For Petitioner : M/s. Niranjana Devi.M.,
Advocate.

For Respondent : Mr.M.Sakthi Kumar for R1 to R3
Government Advocate (Crl.Side)



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ORDER

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This Criminal Original Petition is filed to direct the third respondent not to harass the petitioner and his family members under the guise of enquiry.

2. Learned counsel for the petitioner submitted that the petitioner and the 4th respondent are friends. However, without any complaint as against the petitioner, the police are subjecting him to harassment without serving any summons or process.

3. Learned Government Advocate (Crl.side) on instructions, submitted that the petitioner received gold jewels from the fourth respondent and pledged the same in his name without the consent of the fourth respondent. He himself sold the jewels to a third party.

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



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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) On the complaint received against the petitioner, the respondent-police shall issue written summons/notice under Section 62 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 prior written notice, enabling them to seek legal remedies including anticipatory bail.



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(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.

7. With the above directions, this Criminal Original Petition is disposed of. It is made clear the petitioner should cooperate with the respondent police for the enquiry, if any complaint received as against him by the fourth respondent.

27.01.2026

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To

1. The Superintendent of Police, Karur District, Karur.
2. The Inspector of Police, Thogamalai Police Station, Karur District.
3. The Sub Inspector of Police, Sindhamanipatti Police Station, Kadavur Taluk, Karur District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



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L. VICTORIA GOWRI, J

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ORDER
IN
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Date : 27/01/2026