



Crl.O.P(MD)No.1519 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.1519 of 2026

1.N.Vijayakumar

2.Ranjitha

... Petitioners

Vs.

1.The State of Tamilnadu,
Rep by the Superintendent of Police,
Thanjavur District.
Thanjavur.

2.The Inspector of Police,
District Crime Branch Police Station,
Thanjavur.
Crime No.20/2025

3.A.P.Kowkishraj

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the second respondent not to harass the petitioner under the guise of enquiry in Crime No.20 of 2025 on the file of the second respondent.



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For Petitioner : Mr.S.Sankar
For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

Seeking to direct the 2nd respondent not to harass the petitioner under the guise of enquiry in Crime No.20 of 2025 on the file of the 2nd respondent, this criminal original petition is filed.

2. Since no adverse order is passed against the 3rd respondent, notice to the 3rd respondent is dispensed with.

3. On the complaint received from the 3rd respondent, the petitioners are required to appear before the 2nd respondent and subjected to harassment. The learned counsel for the petitioner submitted that it is duly a financial / business transaction between the *defacto* complainant and the 1st accused in Crime No.20 of 2025 who is the brother of the 1st petitioner and the 2nd petitioner is the wife of the 1st petitioner, who is nine months pregnant and she has nothing to do with



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the financial dispute / business transaction between the *defacto* complainant and the brother of the 1st petitioner. The 2nd respondent police has seized of the movable properties including the car belonging to the petitioners, for a dispute in which the petitioners have no role at all and hence, sought indulgence of this Court.

4. The learned Government Advocate (Crl.side) submitted that certain amount has been transferred from the account of the 1st petitioner's brother to that of the 1st petitioner and this has been revealed in the investigation undertaken by the 2nd respondent. Only in this regard, the 2nd respondent called the petitioners for enquiry, but the investigation is not yet completed. It is only that an F.I.R has been filed. If at all the petitioners are innocent and do not have any involvement in the money transaction, they can very well appear before the 2nd respondent police and give necessary explanation in this regard.

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



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(a) If the 2nd respondent police intends to require the petitioners for enquiry in the ongoing investigation in Crime No.20 of 2025, 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 1st petitioner is directed to appear before the 2nd respondent police and explain that he is not connected with the case.

(c) If the dispute is found to be civil in nature, the complaint shall be closed forthwith, without any coercive or intimidatory action.

(d) It is made clear that the 2nd respondent police will not call the 2nd petitioner for enquiry.

(e) Since it is brought to the notice of this Court that already four times the 1st petitioner has been put on summons required his appearance, the 2nd respondent police is directed to conclude the enquiry in only one more session.



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

28.01.2026

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

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To

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



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L.VICTORIA GOWRI, J.

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