



Crl.O.P(MD)No.1448 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.1448 of 2026

Mohanapriya

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep By, The Superintendent of Police,
O/o.The Superintendent of Police,
Madurai District.
- 2.The Additional Superintendent of Police,
O/o.The Superintendent of Police,
Cyber Crime,
Madurai District.
- 3.The Inspector of Police,
O/o.The Superintendent of Police,
Cyber Crime,
Madurai District.
4. Maruthupandi
- 5.The Inspector of Police,
Thirumangalam Town Police Station,
Madurai.

... Respondents

*(R5 is suo motu impleaded vide order of this Court dated
27.01.2026)*



Crl.O.P(MD)No.1448 of 2026

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the respondent No.1 to take action against the Respondent No.2 on the basis of the representation dated 09.01.2026 in accordance with law.

For Petitioner : Mr.R.Alagumani
For R1-R3, R5 : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)

ORDER

Seeking to direct the 1st respondent to take action against the 2nd respondent on the basis of the representation dated 09.01.2026, this criminal original petition is filed.

2. Notice to the 4th respondent is dispensed with, since no adverse order is passed against the 4th respondent.

3. The learned Government Advocate(Crl.Side) submitted that the petitioner has already made another complaint earlier and the same is pending before the Thirumangalam Town Police Station. In this regard, he required this Court to direct the petitioner to make a complaint afresh before the said police station for consideration.



Crl.O.P(MD)No.1448 of 2026

WEB COPY

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

5. The Inspector of Police, Thirumangalam Town Police Station, Madurai is *suo motu* impleaded as 5th respondent.

6. To allay the petitioner's apprehensions and to ensure fairness, the following directions are issued:

(a) In view of the earlier complaint made by the petitioner before the 5th respondent, the 1st respondent is directed to forward the complaint received from the petitioner to the 5th respondent.

(b) With respect to the complaint received from the 1st respondent lodged by the petitioner, the respondent-police shall issue written summons/notice to the 4th respondent under Section 41-A Cr.P.C/35(3) BNSS, specifying the date, time, and purpose of enquiry. Oral or informal summons are prohibited.



WEB COPY



Crl.O.P(MD)No.1448 of 2026

(c) The enquiry, if undertaken, shall be completed within four weeks from the date of receipt of complaint received from the 1st respondent, after affording an opportunity of personal hearing to the 4th respondent.

(d) If the police, upon enquiry, conclude that a cognizable offence is made out and propose to register an FIR, the 4th respondent shall be given prior written notice, enabling him to seek legal remedies including anticipatory bail.

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

7. With these directions, this Criminal Original Petition stands disposed of.

27.01.2026

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



Crl.O.P(MD)No.1448 of 2026

WEB COPY

- To
- 1.The Superintendent of Police,
O/o.The Superintendent of Police,
Madurai District.
 - 2.The Additional Superintendent of Police,
O/o.The Superintendent of Police,
Cyber Crime,
Madurai District.
 - 3.The Inspector of Police,
O/o.The Superintendent of Police,
Cyber Crime,
Madurai District.
 4. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai.
 - 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P(MD)No.1448 of 2026

L.VICTORIA GOWRI, J.

gbg

Crl.O.P(MD)No.1448 of 2026

27.01.2026