



Crl.O.P.(MD)No.1573 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **29.01.2026**

CORAM:

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

Crl.O.P.(MD)No.1573 of 2026

M.Sugumar

... Petitioner

Vs.

1. The State of Tamilnadu,
Rep. By, the Superintendent of Police,
Tenkasi District.
2. The Deputy Superintendent Of Police,
Alangulam,
Tenkasi District.
3. State of Tamilnadu,
Rep by Inspector of Police,
Surandai Police Station,
Tenkasi District.
4. M.Murugesan
5. U.Muthupandi
6. Selvi

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 seeking to direct the 1st respondent to instruct the 2nd respondent not to harass the petitioner and his family members on basis of the petitioner's representation dated 20.01.2026.



CrI.O.P.(MD)No.1573 of 2026

For Petitioner : Mr.V.M.Jegadeesha Pandian
For Respondent : Mr.M.Sakthi Kumar (R1 to R3)
Government Advocate

ORDER

The petitioner seeks for a direction to the 1st respondent to instruct the 2nd respondent not to harass the petitioner and his family members on basis of the petitioner's representation dated 20.01.2026.

2. The learned counsel for the petitioner submitted that the dispute pertains to GST bills. Despite the petitioner being ready and willing to pay the balance amount, he is being subjected to harassment by the respondent police.

3. The learned Government Advocate appearing for the respondent police submitted that the petitioner was handling the accounts of the 4th and 5th respondent company, which had entrusted him with a sum of Rs. 47,00,000/- towards payment of GST. However, the petitioner paid only a sum of Rs. 22,50,000/-. Immediately thereafter, the 4th and 5th respondents received notice from the GST notice. Pursuant thereto, the fourth respondent lodged a complaint before the respondent police. The petitioner had also given an undertaking to return the balance amount. As the said amount was not



Crl.O.P.(MD)No.1573 of 2026

returned, he lodged a complaint before the concerned Deputy Superintendent of Police on 23.01.2026, before whom also the petitioner gave the very same undertaking. However, as the amount has not been settled, the complaint came to be registered.

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

5. Though the nature of the dispute appears to be a business transaction, it is understood that the third respondent police has conducted an enquiry with regard to certain amounts allegedly misappropriated by the petitioner in relation to the payment of GST bills, while handling the funds belonging to the 4th and 5th respondents.

6. 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.



CrI.O.P.(MD)No.1573 of 2026

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

(a) With respect to the complaint received as 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.

(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.

8. With the above directions, this Criminal Original Petition is disposed of.

29.01.2026

NCC : Yes / No

Index : Yes / No



Crl.O.P.(MD)No.1573 of 2026

TO:-

WEB COPY

1. The Superintendent of Police,
Tenkasi District.
2. The Deputy Superintendent Of Police,
Alangulam,
Tenkasi District.
3. Inspector of Police,
Surandai Police Station,
Tenkasi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrI.O.P.(MD)No.1573 of 2026

L.VICTORIA GOWRI, J.

Sm

Order made in
CrI.O.P.(MD)No.1573 of 2026

Dated
29.01.2026