



CRL OP(MD). No.1763 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 30/01/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.1763 of 2026

Ganesan

... Petitioner

Vs

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

2. The Sub Inspector of Police,,  
Namanasamuthiram, Police Station,  
Pudukottai District.

3. Subramanian

4. Arumugam

... Respondents

PRAYER :-

To direct the respondents to not to interfere in the civil dispute.

For Petitioner : Mr. G.Mathavan,  
Advocate.

For Respondent : Mr.M.Sakthi Kumar for R1 and R2  
Government Advocate (Crl.Side)



CRL OP(MD). No.1763 of 2026

## **ORDER**

This Criminal Original Petition is filed to direct the respondents to not to interfere in the civil dispute.

2. Considering the relief sought for in this petition, notice to the respondents 3 and 4 are dispensed with.

3. Learned counsel for the petitioner submitted that with regard to a boundary dispute, the petitioner has filed an appeal before the Revenue Divisional officer, Pudukkottai and the same was allowed in favour of the petitioner on 31.05.2025. Since the third respondent who lost in the proceedings before the Revenue Divisional Officer, had approached the fourth respondent and on his advice a complaint has been lodged against the petitioner. Despite the dispute being civil in nature, the 1st and 2nd respondents are allegedly pressuring the petitioner to appear, causing harassment.



CRL OP(MD). No.1763 of 2026

4. However, the learned Government Advocate, Mr.M.Sakthi Kumar (Crl.side) on instructions, submitted that enquiry has been conducted and the same was closed.

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

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.

7. In view of the submission made by the learned Government Advocate (Crl.side), eventhough the complaint filed against the petitioner, has been closed by the second respondent, to allay the petitioners' apprehensions and to ensure fairness, the following directions are issued:

(a) If any complaint is received against the petitioners, the respondent-police shall issue written summons/notice under Section 62



CRL OP(MD). No.1763 of 2026

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 petitioners' 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 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 respondents 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.

30.01.2026

NCC : yes /no

Index : yes / no

Internet : yes / no

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CRL OP(MD). No.1763 of 2026

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To

1. The Superintendent of Police, Pudukottai, Pudukottai District.
2. The Sub Inspector of Police, Namanasamuthiram, Police Station, Pudukottai District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.1763 of 2026

**L. VICTORIA GOWRI, J**

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ORDER  
IN  
**CRL OP(MD) No.1763 of 2026**

Date : 30/01/2026