



CRL OP(MD). No.1795 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.1795 of 2026

Ramkumar @ Kumar Pandian

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep By, The Superintendent of Police,
O/o.The Superintendent of Police,
Tenkasi District.

2. The Deputy Superintendent Of Police,
O/o.The Deputy Superintendent of Police,
Puliyangudi Division,
Tirunelveli District.

3. The Inspector of Police,
Sivagiri Police Station,
Tenkasi District.

... Respondents

PRAYER :-

To direct the respondents herein not to harass the petitioner herein under the guise of enquiry on the basis of the petitioner`s representation dated 12.01.2026.

For Petitioner : Mr. G.Anto Prince,
Advocate.

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed to direct the respondents herein not to harass the petitioner herein under the guise of enquiry on the basis of the petitioner's representation dated 12.01.2026.

2. The learned counsel for the petitioner submitted that no criminal case is pending against him, however, the second and third respondents are subjecting him to harassment.

3. However, the learned Government Advocate, Mr.M.Sakthi Kumar (Crl.side) on instructions, submitted that as many as 30 FIRs has been registered against the petitioner, among which 6 cases are still pending and the petitioner is a person with bad antecedents. Only to protect himself from the aforesaid cases, he has come forward with this petition.

4. However, learned counsel for the petitioner submitted that after 2022, he had determined his mind not to involve in criminal activity any further and he is trying to lead a resurrected life with goodwill and his



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goodwill should be protected. He further submitted that he is a Ward Member of the Ullur Thalavaipuram Panchayat.

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 criminal proceedings are initiated without the essential ingredients of an offence being made out.

7. The petitioner is directed to be cautious not to involve in any criminal activities any further, if at all. 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 of Cr.P.C./ 64 of BNSS, 2023, specifying the date, time, and purpose of enquiry. Oral or informal summons are prohibited.



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(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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To
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1. The Superintendent of Police, O/o.The Superintendent of Police,
Tenkasi District.
2. The Deputy Superintendent Of Police,
O/o.The Deputy Superintendent of Police,
Puliyangudi Division, Tirunelveli District.
3. The Inspector of Police, Sivagiri Police Station, Tenkasi 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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