



CRL OP(MD). No.1762 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.1762 of 2026

A.Arumugam

... Petitioner

Vs

1. The State of Tamilnadu, Rep. By
The Superintendent of Police,
O/o.The Superintendent of Police,
Trichy.

2. State of Tamilnadu Rep by
Inspector of Police,
Vaiyampatty Police Station,
Trichy,
Trichy District.

... Respondents

PRAYER :-

To direct the respondent No.2 not to harass the petitioner under the guise of enquiry in the functioning of recreation club considering the petitioners representation dated 20.01.2026.

For Petitioner : Mr.G. Raghul,
Advocate.

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



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ORDER

This Criminal Original Petition is filed to direct the respondent No. 2 not to harass the petitioner under the guise of enquiry in the functioning of recreation club considering the petitioners representation dated 20.01.2026.

2. The learned counsel for the petitioner submitted that the petitioner is the president of the MLR Recreation Club which is a registered club and run with proper license. However, the second respondent is frequently harassing the club license holder by repeated inspections without proper reasons. In view of the continuous threat of the second respondent, this Criminal Original Petition came to be filed.

4. However, the learned Government Advocate, Mr.M.Sakthi Kumar (Crl.side) on instructions, submitted that no complaint has been received as against the petitioner's club.



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5. 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 BNSS, 2023, specifying the date, time, and purpose of enquiry. Oral or informal summons are prohibited. In the absence of any complaint frequent inspections are unwarranted, except in accordance with the procedure mandated by BNSS, 2023.

(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.



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(e) The respondents shall refrain from interfering in or attempting to adjudicate private civil rights between the parties.

6. 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

1. The Superintendent of Police, O/o.The Superintendent of Police, Trichy.
- 2.The Inspector of Police, Vaiyampatty Police Station, Trichy, Trichy District.
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



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L. VICTORIA GOWRI,J

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ORDER
IN
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