



CRL OP(MD). No.1816 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

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Raguram

... Petitioner

Vs

1. The State of Tamilnadu,
Rep by the Superintendent of Police,
Virudhunagar District.
Virudhunagar.

2. The Inspector of Police,
District Crime Branch,
Virudhunagar District.

3. Kannan

... Respondents

PRAYER :-

To direct the 2nd respondent not to harass the petitioner and his family members on the guise of enquiry and to follow the procedure established under the law.

For Petitioner : Mr.M.Jegadeesh Pandian,
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 2nd respondent not to harass the petitioner and her family members in the guise of enquiry.

2. Considering that no adverse order is likely to be passed against the third respondent, notice to the 3rd respondent is dispensed with.

3. The learned counsel for the petitioner submitted that the third respondent and his wife had approached the petitioner and intended to buy the property. A sale agreement was executed in favour of the third respondent and thereafter, since the sale consideration was not paid, the sale agreement was cancelled on 04.10.2025. Again on 30.11.2025, the petitioner had entered into a sale agreement to sell the property to the third respondent and again the sale deed was cancelled by the petitioner. Therefore, a complaint was registered by the respondent police against the petitioner in CSR No.612 of 2025.



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4. The learned counsel for the petitioner submitted that the 3rd respondent filed a complaint, leading to a summons for enquiry at the 2nd respondent police Station. Despite the fact that it is a money dispute, the 1st and 2nd respondent police are allegedly pressuring the petitioner to appear, causing harassment.

5. However, the learned Government Advocate, Mr.M.Sakthi Kumar (Crl.side) on instructions, submitted that the petitioner has received a part of the sale consideration around Rs.1 Crore through his account. Since the third respondent is not able to settle the balance amount, the sale agreement was cancelled.

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

7. 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



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ingredients of an offence being made out.

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

(a) On the complaint received against the petitioner, 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.

(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



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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.

9. 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, Virudhunagar District.
Virudhunagar.
2. The Inspector of Police, District Crime Branch, Virudhunagar 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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