



CrI.O.P.(MD)No.2097 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **04.02.2026**

CORAM:

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

CrI.O.P.(MD)No.2097 of 2026

Amutha @ Amuthavalli

... Petitioner

Vs.

1. The State of Tamil Nadu Rep By,
The Superintendent of Police,
Pudukkottai District.

2. The Deputy Superintendent Of Police,
Aranthangi,
Pudukkottai District.

3. The Inspector of Police,
Nagudi Police Station,
Aranthangi, Pudukkottai District.

4. Kumar

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 seeking to direct the 3rd respondent and his subordinates not to harass or ill-treat the petitioner and his family members on the guise of enquiry in connection with a civil dispute at the instance of the 4th respondent.

For Petitioner : Mr.M.Ragul

For Respondent : Mr.M.Sakthi Kumar (R1 to R3)

Government Advocate



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ORDER

The petitioner seeks for a direction to the 3rd respondent and his subordinates not to harass or ill-treat the petitioner and his family members on the guise of enquiry in connection with a civil dispute at the instance of the 4th respondent.

2. The learned counsel for the petitioner submitted that on receipt of the complaint from the fourth respondent, the petitioner is subjected to harassment by the third respondent in the name of enquiry and hence, this petition came to be filed.

3. The learned Government Advocate appearing for the respondent police submitted that in a land belonging to the fourth respondent, where agricultural activities have been carried out, the petitioner, claiming to be a tenant of the said land, is attempting to harvest the crop. In this regard, the 4th respondent has given a complaint against the petitioner and hence, the petitioner was called for enquiry. During enquiry, the petitioner appeared and



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undertook that he would return paddy harvested from the said land.

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4. The learned counsel for the petitioner submitted that the petitioner, to substantiate the petitioner's claim over the subject property, has already filed a suit in OS No.100 of 2025 on the file of the District Munsif Court, Aranthangi and also pointed out that the third respondent police has no right to meddle in the pending civil matter. He further submitted that a complaint has already been lodged alleging that the fourth respondent had stolen the paddy.

5. Heard the learned counsels on either side and carefully perused the materials available on record. Since no adverse order is proposed to be passed against the fourth respondent, notice to him is dispensed with.

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. Since the enquiry with respect to harvesting paddy is still pending, to allay the petitioner's apprehensions and to ensure fairness, the following



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directions are issued:

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(a) With respect to the complaint received 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.

04.02.2026

NCC : Yes / No
Index : Yes / No



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L.VICTORIA GOWRI, J.

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TO:-

1. The Superintendent of Police,
Pudukkottai District.
2. The Deputy Superintendent Of Police,
Aranthangi,
Pudukkottai District.
3. The Inspector of Police,
Nagudi Police Station,
Aranthangi, Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.(MD)No.2097 of 2026

Dated
04.02.2026