



Crl.OP(MD)No.2358 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).No.2358 of 2026

1.M.Jesudass
2.J.Suganthi
3.Nirmal Reeta

...Petitioners

Vs.

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2. State of Tamil Nadu
rep., by
The Inspector of Police,
Thiruvadanai All Women Police Station,
Thiruvadanai, Ramanathapuram District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the respondent not to harass the petitioners under the guise of enquiry.

For Petitioners : Mr.K.Saravanan

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



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Crl.OP(MD)No.2358 of 2026

ORDER

This criminal original petition is filed to direct the respondent not to harass the petitioners under the guise of enquiry.

2.The learned counsel for the petitioner submitted that without any complaint as against the petitioners, they are continuously harassed by the second respondent police and hence, this petition.

3.Per contra, the learned Government Advocate (Criminal Side) fairly submitted that though no petition is pending against the petitioners, their presence is required before the second respondent—Police only on the ground that the POCSO offender, who is presently absconding, happens to be their son-in-law. The first petitioner is the father-in-law of the absconding accused, the second petitioner is his mother-in-law, and the third petitioner is his wife. Further submitted that the petitioners were not at all harassed and they were enquired only with respect to whether they had any idea about the place of the third petitioner's husband and sought for dismissal of this case.



Crl.OP(MD)No.2358 of 2026

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4.The learned counsel for the petitioners submitted that the third petitioner is presently residing at her maternal home at Sivagangai, the alleged offender is a native of Trichy, and that he has not visited the petitioners in recent times. It was further submitted that the petitioners have no knowledge of his present place of residence or whereabouts.

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

6.Considering the fact that the third petitioner is already undergoing the pain of her maternity, under such circumstances, the second respondent police is directed to deal with the petitioners with compassion. I am fully agreeing with the submission of the learned Government Advocate(Crl.) that the petitioners are not harassed by the respondent police. However, this Court is of the considered view that for the offence committed by the third petitioner's husband, the second respondent police should not harass the petitioners. However, it is the bounden duty of the petitioners to voluntarily inform the details, if they



receive any information as to the place where the third petitioner's husband is residing, as and when they receive any phone call from the absconded accused. In the failure to do so, the second respondent is directed to verify the phone call details and further proceed with the investigation. In the ongoing investigation, if any material evidence is obtained by the investigating officer that the offender is contacting the petitioners, in that case, to allay the petitioners' apprehension,

7.To allay the petitioners' apprehensions and to ensure fairness, the following directions are issued:

(a) If any details is required from the petitioners, the respondent-police shall issue written summons/notice under Section 62 CrI.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.



Crl.OP(MD)No.2358 of 2026

(c)It is made it clear that the third respondent police will not summon the second petitioner.

8. With the above directions, this Criminal Original Petition is disposed of.

06.02.2026

NCC : Yes / No

Index : Yes / No

Rmk

To

- 1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Inspector of Police,
Thiruvadanai All Women Police Station,
Thiruvadanai, Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrI.OP(MD)No.2358 of 2026

L.VICTORIA GOWRI, J.

Rmk

CrI.O.P.(MD)No.2358 of 2026

06.02.2026