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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.2370 of 2026

M.Vijayakumar

...Petitioner

Vs.

1.The State of Tamil Nadu,
rep., by the Superintendent of Police,
Virudhunagar District, Virudhunagar.

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

3.Murugan

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the second respondent not to harass the petitioner in the guise of enquiry and consider the petitioner's representation dated 27.01.2026.

For Petitioner : Mr.A.Vadivel

For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)



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ORDER

Seeking direction to the second respondent not to harass the petitioner under the guise of enquiry, this criminal original petition is filed.

2.Since no adverse order is going to be passed against the third respondent, notice to him is dispensed with.

3.The learned counsel for the petitioner submitted that on the complaint received from the third respondent as against the petitioner, the second respondent police is continuously subjecting the petitioner to harassment and hence, this petition. He further submitted that he had never ever introduced the so called Thangakumar to the third respondent. However, the said Thangakumar is the person known to the petitioner, with whom, the petitioner has several financial transaction. Only in this regard, the second respondent is continuously subjecting him to harassment and sought indulgence of this Court.

4.The learned Government Advocate(Crl.side), on instructions, submitted that the petitioner introduced one Thangakumar, who was having high connections with various higher officials and politician. Believing that one



Thangakumar has influential connections with various Central Government officials, the defacto complainant/ Murugan, at the instance of the petitioner, gave a sum of Rs.30,00,000/- to Thangakumar, for facilitation of reduction of income tax, so as to evade payment of proper income tax. Thereafter, the said Thangakumar, with the alleged assistance of the petitioner, cheated the de facto complainant. Hence, a complaint came to be lodged against the petitioner, for which, the petitioner is required to appear before the respondent police. Otherwise, the petitioner is not harassed by the respondent police.

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

6.Considering the facts and circumstances of the case, to allay the petitioners' apprehensions and to ensure fairness, the following directions are issued:

(a) With respect to the complaint received against the petitioner from the third respondent, the second 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 him 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.

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

06.02.2026

NCC : Yes / No
Index : Yes / No
Rmk



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1. The Superintendent of Police,
Virudhunagar District, Virudhunagar.
2. The Inspector of Police,
District Crime Branch,
Virudhunagar District,
Virudhunagar.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Rmk

Crl.O.P.(MD)No.2370 of 2026

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