



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CrI.O.P.(MD).No.2421 of 2026

Pugalendhi

...Petitioner

Vs.

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

2.The Inspector of Police,
All women Police Station,
Peraiyur, Madurai District.

3.Raj Pranavi

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the second respondent not to harass the petitioner and his family members under the guise of enquiry.

For Petitioner : Mr.P.Suresh

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



WEB COPY

ORDER

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

2. In view of the nature of the order to be passed, notice to the third respondent is dispensed with.

3. The learned counsel for the petitioner submitted that the third respondent is the wife of the petitioner and she had earlier lodged a complaint as against the petitioner before the All Women Police Station at Thiruparankundram. After enquiry, the said complaint was closed. Further, she had given another complaint before the second respondent police, for which, the second respondent police is now harassing the petitioner.

4. The learned Government Advocate (Crl.side), on instructions, submitted that the petitioner appeared before the respondent police once and further, he has not appeared and investigation is pending. It is seen that certain jewelry belonging to the third respondent is still with the petitioner.



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

6. Considering the nature of the matrimonial dispute between the petitioner and the third respondent, it is necessary for the second respondent to conduct further enquiry to ascertain the nature of the dispute and the quantum of assets belonging to the third respondent that remain with the petitioner and his family. In this regard, it cannot be directed that the petitioner should not be called for enquiry. However, to allay the petitioner's 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 CrI.P.C./ 64 BNSS, 2023 to the petitioner, 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.



WEB COPY (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.

7. 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,
Madurai District.
- 2.The Inspector of Police,
All women Police Station,
Peraiyur, Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



L.VICTORIA GOWRI, J.

Rmk

Crl.O.P.(MD)No.2421 of 2026

06.02.2026