



CrI.O.P.(MD)No.2791 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **11.02.2026**

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CORAM:

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

CrI.O.P.(MD)No.2791 of 2026

M.Kumar

... Petitioner

Vs.

1. The Director General of Police,
Office of the Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004.
2. The Inspector General of Police,
Office of the Inspector General of Police,
South Zone, 4th Street,
JJ Nagar, Course Colony,
Madurai 625 002.
3. The Deputy Inspector General Of Police,
Office of the Deputy Inspector General of Police,
South Zone, K.Pudhur,
Madurai District.
4. The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.
5. State of Tamilnadu,
Rep by Inspector of Police,
Pamban, Police Station,
Pampan, Ramanathapuram District.



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6. Atharsh,
Sub Inspector of Police,
Pampan Police Station,
Pampan,
Ramanathapuram District.

7. The Special Executive Officer,
Pamban Town Panchayat,
Rameswaram Taluk,
Ramanathapuram District.

... Respondents

(R7 is suo motu impleaded vide order dated 11.02.2026 in this petition.)

PRAYER : Petition filed under Section 528 of BNSS, 2023 to pass order by directing the 1st respondent to pass suitable order for change of investigation of the petitioner compliant dated 29.12.2025 from the file of the 4th respondent to some other agency within the period as stipulated by this Court.

For Petitioner : Mr.S.Atham Ali
For Respondents : Mr.M.Sakthi Kumar (R1 to R5)
Government Advocate (Crl.)
Mr.T.Amjad Khan (R7)
Government Advocate

ORDER

The petitioner has filed this petition seeking to direct the 1st respondent to pass suitable order for change of investigation of the petitioner's complaint dated 29.12.2025 from the file of the 4th respondent to some other agency within the period as stipulated by this Court.



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2. The learned counsel for the petitioner submitted that the petitioner is running a dried fish shop in the name and style of “KM Karvadu Shop” near Pamban Police Station and on 19.12.2025 at about 05:50 p.m., the 6th respondent, who is working as the Sub-Inspector of Police in the 5th respondent police station came to the petitioner's shop and purchased dried fish (Karuvadu) approximately worth of Rs.1,000/-. When the petitioner demanded payment, the six respondent stated that he would pay the amount later and left the place, since he is a police officer. The petitioner did not insist for the said payment.

3. The learned counsel for the petitioner further submitted that thereafter, on 26.12.2025 at about 6:40 p.m., when the petitioner's brother was in the shop, the 6th respondent again visited the shop and demanded dried fish at free of cost. The petitioner's brother stated that the goods will be delivered only on payment of money, for which the 6th respondent abused him in filthy language and had threatened him that he would not allow them to run the shop and he would foist a false case against him, particularly in a narcotic case. Hence, the petitioner has lodged a complaint to the official respondents 1 to 5. However, the respondent police did not initiate any enquiry against the 6th respondent in this regard. Hence, it is necessary to transfer the investigation to any other Superintendent of police of other districts.



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4. The learned Government Advocate appearing for the official respondents vehemently contended that the submission of the petitioner is completely baseless and the 6th respondent is the Sub-Inspector of Police, who has been recently transferred from Vellore to Pamban. It was only because that the petitioner had occupied the entire space of a narrow road at Pamban, which was meant for public use, by spreading dried fish beyond the limits of his shop, thereby causing serious obstruction to public traffic and great inconvenience to the public. The 6th respondent had warned him not to disturb the public mobility. In this regard, the petitioner, having developed a grudge, has made false representations to the higher authorities.

5. The learned Government Advocate appearing for the official respondents further submitted that there is not a single iota of evidence supporting the allegations made in the complaint. It is untrue that the petitioner's representation has not been left unattended. On receiving his complaint, proper summon has been issued by the 5th respondent for which the petitioner has not turned up before the 5th respondent and cooperated with the enquiry.



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6. Heard the learned counsel on either side and carefully perused the materials placed before this Court. Considering that the sixth respondent is a police officer impleaded in his personal capacity, notice to him is dispensed with.

7. Considering the facts and circumstances of this case, the Deputy Superintendent of Police. Rameshwaram is directed to take a final call in this case by issuing summons under Section 64 BNSS, 2023. On receipt of summons, the petitioner is also directed to appear before the Deputy Superintendent of Police, Rameshwaram and cooperate with the enquiry. It is also made clear that the Deputy Superintendent of Police, Rameshwaram, shall deal with the petitioner with due concern and kindness, without subjecting him to any form of intimidation or fear. In the event that the petitioner's submission is found to be true, strict action shall be taken against the 6th respondent.

8. Having regard to the nature of the case, the Special Executive Officer, Pamban Town Panchayat, Rameswaram Taluk, Ramanathapuram District, is suo motu impleaded as the 7th respondent, for whom, Mr.T.Amjad Khan, learned Government Advocate takes notice.



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9. The petitioner is directed to make suitable application before the 7th respondent seeking street vendor licence immediately. On receipt of the same, the 7th respondent is directed to forthwith issue a street vendor licence to the petitioner on merits and in accordance with law.

10. With the above direction, this criminal original petition stands disposed of.

11.02.2026

NCC : Yes / No
Index : Yes / No
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Copy To:-

1. The Deputy Superintendent of Police. Rameshwaram.



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TO:-

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6. The Special Executive Officer,
Pambam Town Panchayat,
Rameswaram Taluk,
Ramanathapuram District.
7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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Order made in
Crl.O.P.(MD)No.2791 of 2026

Dated
11.02.2026