



CRL OP(MD). No.2879 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 12/02/2026

CORAM

THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.2879 of 2026

Selvam,

... Petitioner

Vs

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

2. State of Tamilnadu Rep by
Inspector of Police,
Paramakudi Town Police Station,
Paramakudi,
Ramanathapuram District..

3. Ramakrishnan,,
S/o.Kuppusamy,

... Respondents

PRAYER :- Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the respondents 1 and 2 no to interfere with the civil dispute of the petitioner.



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For Petitioner : Mr.K.Elangovan,
For R1 and R2 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the respondents 1 and 2 not to interfere with the civil dispute of the petitioner.

2. The learned counsel for the petitioner submitted that on receiving a complaint from the third respondent, the second respondent police is harassing the petitioner without any rhyme or reason.

3. Mr. M. Sakthi Kumar, learned Government Advocate (Criminal Side) appearing for respondents 1 and 2, submitted that the third respondent lodged a complaint against the petitioner, who is engaged in real estate promotion. The third respondent is one of the investors who along with 39 others, invested in a scheme promoted by the petitioner and paid the entire sale consideration for 39 plots. Despite receipt of the full amount, the petitioner has not taken any steps to execute the sale



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deeds or hand over possession of the properties. In this regard, a complaint has been received and the petitioner has been summoned only for the purpose of enquiry. Therefore, the apprehension expressed by the petitioner is unfounded.

4 . To allay the petitioner's apprehensions and to ensure fairness, the following directions are issued:

(a) In the complaint received against the petitioner, the respondent-police shall issue written summons/notice under Section 62 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.



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(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 respondents shall refrain from interfering in or attempting to adjudicate private civil rights between the parties.

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

12.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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TO

1. The Superintendent of Police,
Ramanathapuram District,,
Ramanathapuram..
2. Inspector of Police,
Paramakudi Town Police Station,
Paramakudi,
Ramanathapuram District..
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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L. VICTORIA GOWRI,J

TTA

**ORDER
IN
CRL OP(MD) No.2879 of 2026**

Date : 12/02/2026