



Crl.O.P.(MD)No.3057 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 13/02/2026

CORAM

THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.3057 of 2026

R.Dhamayanthi

... Petitioner

Vs

1. The State of Tamilnadu through,
The Superintendent of Police,,
Kanyakumari District Police Office,
Nagercoil 629 001.

2. State of Tamilnadu, Rep through,
The Inspector of Police,
Circle Inspector Office,
Kanyakumari - 629 702.

3. State of Tamilnadu through,
The Sub-Inspector of Police,
South Thamaraiikulam Police Station,
Kanyakumari District.
Crime No.Not Known of 2025.

4. Nithaya

5. Srikanandan

... Respondents

PRAYER :-



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This petition is filed under Section 528 of BNSS, 2023, to pass an order directing the 3rd respondent not to harass the petitioner under the guise of enquiry frequently.

For Petitioner : Gurumoorthy S,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (CrI.Side) for R1 to R3

ORDER

This petition has been field to directing the 3rd respondent not to harass the petitioner under the guise of enquiry frequently.

2. The learned counsel for the petitioner submitted that the petitioner is a widow and her husband passed away in the year 2021. However, on 23.12.2025, at about 06:00 PM, the 5th respondent instigated the 4th respondent to visit the petitioner's house and verbally abused her. Subsequently, on 25.12.2025, at about 06:30 PM, while the petitioner was cleaning up the front yard, the said 5th respondent again approached her, abused her, and threatened her to kill and rape and attacked her with a knife and caused injury. Hence, she immediately lodged a complaint in this regard at South Tamarai Kulam Police Station, who is the third respondent herein on 25.12.2020 at 08:00 PM. However, instead of taking action against the petitioner's complaint, the



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3rd respondent police summoned the petitioner on 28.12.2025 and required her on 28.12.2025 through her mobile No.6379349269 and directed her to appear before the 3rd respondent police station on the same day at 12:30 PM. She also appeared along with her sister at 12:10 PM. However, the 3rd respondent police acted in a biased manner. Hence, this petition.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that complaint and counter complaint has been lodged by the petitioner as well as the 4th respondent. In this regard, CSR has also been issued in both the complaints and they were required to appear for inquiry.

4. Heard both sides and carefully perused the materials available on records.

5. 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 and the 4th respondent, the respondent-police shall issue written summons/notice under Section 62 of Cr.P.C/64 of BNSS, 2023, specifying the date, time, and purpose



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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.

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

13.02.2026

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TO

1. The Superintendent of Police,,
Kanyakumari District Police Office,
Nagercoil 629 001.
2. The Inspector of Police,
Circle Inspector Office,
Kanyakumari - 629 702.
3. The Sub-Inspector of Police,
South Thamaraikulam Police Station,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L. VICTORIA GOWRI,J

dss

ORDER
IN
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Date : 13/02/2026