



CRL OP(MD). No.2926 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.2926 of 2026

S.Devasagayam,

... Petitioner

Vs

1. The State of Tamilnadu,
Rep By, The Superintendent of Police,
Ramanathapuram District..
2. The Assistant Superintendent of Police,
O/o.The Assistant Superintendent of Police,
Rameswaram,
Ramanathapuram District..
3. The Inspector of Police,
Thangachimadam Police Station,
Thangachimadam,
Ramanathapuram District..

... Respondents

PRAYER :- Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the third respondent not to harass the petitioner and his family members.



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For Petitioner : Mr.M.Kannan,
For Respondents : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking a direction to the third respondent not to harass the petitioner and his family members.

2. The learned counsel for the petitioner submitted that the petitioner is a law-abiding citizen who has been an informant to the Customs Department for several years. However, at the instance of certain antisocial elements, the respondent police are threatening the petitioner that action under Section 140 of the BNSS (Section 110 Cr.P.C.) would be taken against him. Hence, he seeks the indulgence of this Court.

3. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the respondent police based on reliable sources have received information that the petitioner along with antisocial elements are preparing to engage in smuggling and other illegal activities. In this regard, the third respondent police has requested



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the Executive Magistrate to invoke Section 140 of the BNSS against the petitioner and the Executive Magistrate has issued a show cause notice to him. Hence, the petitioner has filed the present petition seeking a direction not to harass him.

4. The summons has been issued under Section 110 of the Cr.P.C. against the petitioner and it is understood that the petitioner has not received the same so far.

5. In case, the petitioner is served with such a summons, he is at liberty to deal with the same in the manner known to law. If the summons issued under Section 140 of the BNSS clearly and explicitly informs the petitioner of the reasons for initiating such action against him, he may appear before the Executive Magistrate and respond to the show cause notice by explaining his innocence. If the summons is issued without furnishing any details, the petitioner is at liberty to approach this Court again.



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

12.02.2026

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TO

- 1.The Superintendent of Police,
Ramanathapuram District..
2. The Assistant Superintendent of Police,
O/o.The Assistant Superintendent of Police,
Rameswaram,
Ramanathapuram District..
3. The Inspector of Police,
Thangachimadam Police Station,
Thangachimadam,
Ramanathapuram District..



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L. VICTORIA GOWRI,J

TTA

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Date : 12/02/2026