



Crl.OP(MD)No.3119 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).No.3119 of 2026

S.Karnan

... Petitioner

Vs.

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

2.The Inspector of Police,
Kodaikanal Taluk Police Station,
Dindigul District.

3.Uma Bharathi

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the second respondent herein not to harass the petitioner under the guise of enquiry by considering the petitioner's representation dated 07.02.2026.

For Petitioner : Mr.S.Sathyachidambaram

For R1 & R2 : Mr.M.Sakthikumar
Government Advocate (crl.side)



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ORDER

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

2.The learned counsel for the petitioner submitted that on receiving the complaint from the third respondent, the second respondent police is subjecting the petitioner to harassment.

3.The learned Government Advocate (Crl.side) on instructions submitted that the petitioner and the third respondent are siblings. After the demise of their father, the third respondent claimed that the petitioner had swindled off all the jewellery belonging to their father and also had taken away the original title deeds of all the properties owned by their father. In this regard, when the third respondent had raised objection, she was attacked by the petitioner and hence, she has lodged a complaint. Only, in that regard, the respondent police called the petitioner for enquiry.



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4. Heard the learned counsels on either side and carefully perused the materials available on record.

5. This Court is conscious that under Section 528 BNSS, 2023, it may issue appropriate directions to ensure that police powers are exercised strictly in accordance with law and not in a manner that converts civil disputes into criminal proceedings without the essential ingredients of an offence being made out.

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

(a) On the complaint received from the third respondent against the petitioner, the respondent-police shall issue written summons/notice under Section 62 Cr.P.C./ 64 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 petitioners' 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



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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.

(e) The respondents 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.

16.02.2026

NCC : Yes / No
Index : Yes / No
Rmk

To

- 1.The Superintendent of Police,
Dindigul District.
- 2.The Inspector of Police,
Kodaikanal Taluk Police Station,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Rmk

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