



CrI.O.P.(MD)No.3274 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2026

CORAM:

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

CrI.O.P.(MD)No.3274 of 2026

M.Hakkindeen

... Petitioner

Vs.

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

2. The State of Tamil Nadu rep by,
The Inspector of Police,
Oomatchikulam Police Station,
Madurai.

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023, to direct the 2nd respondent not to harass the petitioner mentally and physically in the guise of enquiry.

For Petitioner : Mr.J.Sulaiman Basha

For Respondents : Mr.M.Sakthi Kumar

Government Advocate (CrI.Side)



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ORDER

WEB COPY This Criminal Original Petition has been filed to direct the 2nd respondent not to harass the petitioner mentally and physically in the guise of enquiry.

2. The learned counsel for the petitioner submitted that on receiving the petition from one Dhulkarunai, who is none other than the maternal uncle of the petitioner, the respondent police is subjecting the petitioner to harassment, and has filed a petition seeking protection from harassment.

3. The learned Government Advocate (Crl.Side) appearing for the respondents submitted that one Dhulkarunai has entered into an agreement with one Manivanan for purchasing of a Innova Crysta car. It is only the petitioner, who had introduced the said Manivannan to Dhulkarunai and also stood as a witness in the said agreement with respect to the sale of the said car. However, having received an amount of Rs.3,80,000/- from Dhulkarunai, the parties have neither returned the money nor delivered the car and hence, the complaint. Only on receipt of that complaint, the petitioner was called.

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



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5. Though the learning counsel for the petitioner submitted that the petitioner is in no way connected with the transaction between Dhulkarunai and Manivannan, the respondent police is subjecting him to harassment. 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, 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 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.



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

17.02.2026

NCC : Yes / No
Index : Yes / No
dss

To:-

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



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L.VICTORIA GOWRI, J.

dss

Order made in
Crl.O.P.(MD)No.3274 of 2026

Dated
17.02.2026