



Crl.O.P(MD)No.3688 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.3688 of 2026

C.Kaleeswari

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep.by The Superintendent of Police,
Virudhunagar,
Virudhunagar District.

2.The Inspector of Police,
Srivilliputhu Town Police Station,
Srivilliputhur,
Virudhunagar District.

3. S.Rajalakshmi Sadaiyandi

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the 2nd respondent not to harass the petitioner and her family members under the guise of enquiry.

For Petitioner : Mr.M.Ganesan

For R1& R2 : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)



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ORDER

Seeking to direct the 2nd respondent not to harass the petitioner and her family members under the guise of enquiry, this criminal original petition is filed.

2. Since no adverse order is passed against the private respondent, notice to the private respondent is dispensed with.

3. The learned counsel for the petitioner submitted that the 3rd respondent has given a baseless complaint as against the petitioner, following which the 2nd respondent police is subjecting her to harassment. Hence, this petition.

4. The learned Government Advocate(Crl.Side) submitted that it is not the 3rd respondent who has given a complaint as against the petitioner. It is the petitioner who had given a complaint against the 3rd respondent for demanding exorbitant interest with respect to the amount



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which the petitioner has borrowed from the 3rd respondent. Earlier, the petitioner has borrowed an amount of Rs.25,00,000/- (Rupees Twenty Five Lakhs only), which was periodically repaid and only a balance amount of Rs.5,00,000/- (Rupees Five Laksh only) is pending, for which the 3rd respondent is harassing her by demanding exorbitant interest. Not being able to withstand the same, she had lodged a complaint before the 2nd respondent police. Pursuant to which, she was required to appear for inquiry. However, having given a complaint, she had filed this petition.

5. Heard the learned counsel on either side and carefully perused the materials available and record.

6. It is seen that the petitioner who is a senior citizen is subjected to certain difficulties by way of demand of exorbitant interest by the 3rd respondent. In this regard, to allay the petitioner's apprehensions, the following directions are issued:



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(a) With respect to the complaint lodged by the petitioner, the respondent-police shall issue written summons/notice under Section 62 Cr.P.C/64 BNSS, specifying the date, time, and purpose of enquiry to the petitioner and the 3rd respondent. Oral or informal summons are prohibited.

(b) The enquiry, if undertaken, shall be completed within two weeks from the date of the appearance of the parties.

(c) If the police, upon enquiry, conclude that a cognizable offence is made out and propose to register an FIR, the alleged accused person shall be given prior written notice, enabling them 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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7. With these directions, this Direction Petition stands disposed of.

20.02.2026

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

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To

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



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L.VICTORIA GOWRI, J.

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