



Crl.OP(MD)No.3122 of 2026

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.3122 of 2026

Ameerkhan

... Petitioner

Vs.

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

2.The Inspector of Police,
Vathirayiruppu Police Station,
Virudhunagar District.

3.The Sub Inspector of Police,
Vathirayiruppu Police Station,
Virudhunagar District.

4.Kuttimani

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the respondents 2 and 3 not to interfere into the civil dispute of money dispute between the petitioner and the fourth respondent.

For Petitioner : Mr.R.Murugappan



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For R1 to R3 : Mr.M.Sakthikumar
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed to direct the respondents 2 and 3 not to interfere into the money dispute between the petitioner and the fourth respondent.

2.It is the case of the petitioner that upon receiving a complaint from the fourth respondent, the third respondent police is subjecting the petitioner to harassment continuously.

3.The learned Government Advocate (crl.side) on instructions submitted that it is a money dispute between the parties. In this regard, the fourth respondent has sent a complaint to the CM cell, which has been forwarded to the first respondent, who in turn to the respondents 2 and 3, for which, the petitioner was called for enquiry after issuance of due summon. However, the petitioner is not co-operating the same.



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

5. Considering that no adverse order is likely to be passed against the fourth respondent, notice to him is dispensed with.

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

(a) On the complaint received from the fourth 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 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.



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(d) If the dispute is found to be civil in nature, the complaint shall be closed forthwith, without any coercive or intimidatory action.

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,
Virudhunagar District,
Virudhunagar.
- 2.The Inspector of Police,
Vathirayiruppu Police Station,
Virudhunagar District.
- 3.The Sub Inspector of Police,
Vathirayiruppu Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Rmk

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