



CrI.O.P.(MD)No.3375 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **18.02.2026**

CORAM:

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

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D.Vinothkumar

... Petitioner

Vs.

- 1.The State of Tamil Nadu Rep. by its,
The Director General of Police,
Chennai.
- 2.The Superintendent of Police,
Thoothukudi District.
- 3.The Deputy Superintendent of Police,
CSCID,
Virudhunagar District.
- 4.The Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi District.
- 5.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.
- 6.The Inspector of Police,
Puthiyamputhur Police Station,
Thoothukudi District.
- 7.The Inspector of Police,
Tharuvaikulam Police Station,
Thoothukudi District.



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8.The Inspector of Police,
Vellappatti Police Station,
Thoothukudi District.

9.The Inspector of Police,
Central Police Station,
Thoothukudi District.

10.The Inspector of Police,
CSCID Police Station,
Subbiahpuram,
Thoothukudi District.

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023, to direct the respondents 2 to 10 not to harass the petitioner by interfering into day today affairs of his distillate fuel oil transportation business running in the name of Siva Sree Marine Fuel Supply having its operation at No.2/141B/1, Bye pass road, Madathur, Thoothukudi District.

For Petitioners : Mr.R.Anand

For Respondents : Mr.M.Sakthi Kumar

Government Advocate (Crl. Side)

ORDER

Seeking a direction to the respondents 2 to 10 not to harass the petitioner by interfering into day today affairs of his distillate fuel oil transportation business running in the name of Siva Sree Marine Fuel Supply having its operation at No.2/141B/1, Bye pass road, Madathur, Thoothukudi District, this petition is filed.



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2.The learned counsel appearing for the petitioner submitted that, at the instance of certain syndicates, who sell bio-diesel and who are aggrieved by the flourishing business of the petitioner, the respondents are subjecting him to harassment, unnecessarily hindering his business. Since a complaint lodged by the petitioner and a First Information Report in Crime No. 22 of 2026 was registered by the 3rd respondent police, the petitioner has sought the indulgence of this Court seeking to direct the respondents not to harass him.

3.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that, on mere suspicion that the product transported was bio-diesel, the product was seized and the same has already been sent to the lab for a forensic report. The same is awaited. If the report does not reveal the product to be bio-diesel, the action may be dropped. The petitioner has unnecessarily roped in all the police across the city of Thoothukudi, including the respondents in this case.

4.The plight of the petitioner is that he is confident that the report would establish his innocence. However, he has suffered heavy losses during the interregnum period of seizure of the petitioner's product in the name of checking it for biodiesel, and he has lamented as to who would bear the loss



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caused by the act of the police.

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

6. With regard to the apprehension of future police action, it is made clear that the petitioner need not worry if he is carrying on a lawful business in a manner known to law. However, the respondent police are always under a duty to monitor the movement of vehicles, the transportation of goods, and the legality of the same. Further, if the petitioner and the drivers of the petitioner's vehicles possess the necessary documents with respect to the genuineness of the distillate fuel oil, the respondents police are directed to act cautiously in initiating criminal action and to strictly follow the prescribed legal mandates.

7. 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.



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8. 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 respondents shall issue written summons/notice under Section 62 CrI.P.C./ 64 BNSS, 2023 to the petitioner, 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.

(e) The respondent police shall refrain from interfering in or attempting to adjudicate private civil rights between the parties.



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

of.

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NCC : Yes / No

Index : Yes / No

vsg

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Thoothukudi District.

11.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

vsg

Order made in
CrI.O.P.(MD)No.3375 of 2026

Dated
18.02.2026