



Crl.O.P.(MD)No.3383 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **19.02.2026**

CORAM:

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

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Abul Kasim

... Petitioner

Vs.

1. The State of Tamilnadu,
Rep. By the Superintendent of Police,
O/o. the Superintendent of Police,
Ramanathapuram District.

2. State of Tamilnadu,
Rep by Inspector of Police,
Valinokkam Police Station,
Ramanathapuram District.

3. Rathnavel,
Special Sub Inspector of Police,
Vallinokkam Police Station,
Ramanathapuram District.

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 to issue an order directing the respondent No.3 to not to harass the petitioner in the guise of enquiry based on the petitioner's representation dated 28.01.2026.

For Petitioner : Mr.SMA.Jinnah

For Respondents : Mr.M.Sakthi Kumar (R1 & R2)

Government Advocate



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ORDER

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The petitioner seeks for a direction to the third respondent not to harass the petitioner in the guise of enquiry, based on the petitioner's representation dated 28.01.2026.

2. The learned counsel for the petitioner categorically contended that on 18.01.2026, the petitioner's brother namely Syed Ibrahim was brutally assaulted with sickle by one Asarutheen, son of Soorangani, in which he had sustained grievous injuries in his head. He was admitted in the Government Hospital at Ramanathapuram and he was treated in ICU, pursuant to which, he was fully paralyzed and is in a critical stage. The petitioner had gone to the second respondent police station and had reported the incident to the third respondent with full details. However, the third respondent refused to register an FIR at the first instance with the intention of protecting the culprit from the clutches of law. Later, only on the information from the Government Hospital, the third respondent had registered a case as against the offender in Crime No.6 of 2026 for the offences under Section 126(2), 296(b), 118(1) & 351(3) of BNS, 2023.

3. The learned counsel for the petitioner further submitted that when such incident was nothing but a sheer attempt to murder, the petitioner was



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falsely roped in a false case, only with the intention to compel the petitioner to compromise the earlier case in Crime No.6 of 2026, and sought the indulgence of this Court.

4. The learned Government Advocate appearing for the respondent police categorically contended that after registration of the case in Crime No.6 of 2026, the offender, namely, Asarudheen was remanded to judicial custody. In the interregnum, the petitioner had proceeded to the house of the offender and had threatened his young wife, who was alone in the house with two little children, with dire consequences insisting her not to take any steps to bail out her husband. In this regard, a complaint was received and only thereafter, the case in Crime No.8 of 2026 was registered as against the petitioner. Otherwise, there is no intention of harassing the petitioner on the part of the third respondent and if at all the petitioner has any grievance as against the third respondent, he can very well opt for the remedy available to him in accordance with law and sought for dismissal of this petition.

5. Heard the learned counsel on either sides and carefully perused the materials placed before this Court. Considering the nature of the order proposed to be passed in this petition, notice to the third respondent, who is the



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police official, impleaded in his personal capacity, is dispensed with.

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6. This Court is keen to mention that the cases in Crime No.6 of 2026 and in Crime No.8 of 2026 are not case and counter case. Considering the facts and circumstances of this case, the second respondent police is directed to expedite the investigation in a fair manner without insisting that either party enter into a compromise, and to complete the investigation as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. Since all the offences as against the petitioner are only bailable offences, the petitioner is directed to appear before the 2nd respondent police. It is made clear that the third respondent shall follow the procedure mandated under the BNSS, 2023, without harassing the petitioner.

7. With the above direction, this Criminal Original Petition is disposed of.

19.02.2026

NCC : Yes / No
Index : Yes / No
Sm



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TO:-

WEB COPY

1. The Superintendent of Police,
O/o. the Superintendent of Police,
Ramanathapuram District.
2. The Inspector of Police,
Valinokkam Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

Sm

Order made in
Crl.O.P.(MD)No.3383 of 2026

Dated
19.02.2026