



Crl.O.P(MD)No.3632 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.3632 of 2026

P.Balakrishnan

... Petitioner

Vs.

1.The Superintendent of Police,
O/o The Superintendent of Police,
Thanjavur District.

2.The Inspector of Police,
District Crime Branch,
Thanjavur District.

... Respondents

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

For Petitioner : Mr.S.Gurumoorthy

For Respondents : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)



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ORDER

Seeking not to harass the petitioner based on the complaint received from one Chitra, this criminal original petition is filed.

2. The learned counsel for the petitioner submitted that the petitioner is subjected to harassment on the complaint received from one Chitra baselessly. Hence, this petition.

3. The learned Government Advocate (Crl. Side) submitted that one Chitra has lodged a complaint against the petitioner. The petitioner, a retired Superintendent of ONGC, is alleged to have committed certain acts of misappropriation during his service, pursuant to which his retirement benefits were withheld. It is further submitted that on behalf of the petitioner, the said Chitra paid a sum of Rss.44,50,000/- to the department on the condition that the petitioner would execute a sale deed in her favour. However, after settlement of the amount, the petitioner refused to execute the sale deed. In this regard, Chitra has



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lodge the complaint. The petitioner is not cooperating with the enquiry.

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

5. In response to the submission made by the learned Government Advocate(crl.side), the learned counsel for the petitioner submitted that the petitioner is ready to execute the sale deed to Chitra with respect to the amount which he is requiring him to pay with respect to a certain property of that value. In this regard, it is seen that only at the instance of the Chitra, the petitioner has been called for inquiry by the respondent police.

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

(a) With respect to the complaint is received against the petitioner, the respondent-police shall issue written



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summons/notice under Section 62 Cr.P.C/64 BNSS, 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.

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,
O/o The Superintendent of Police,
Thanjavur District.
- 2.The Inspector of Police,
District Crime Branch,
Thanjavur 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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