



Crl.O.P(MD)No.3687 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.3687 of 2026

A.Shahul Hameed

... Petitioners

Vs.

1.The State of Tamil Nadu,
Rep.by The Deputy Superintendent of Police,
Palani,
Dindigul District.

2.The State of Tamil Nadu,
Rep.by The Inspector of Police,
Town Police Station, Palani,
Dindigul District.

3. The State of Tamil Nadu,
Rep.by The Inspector of Police,
Adivaram Police Station, Palani,
Dindigul District.

4.Alavudeen

5.Sheik

6.Pal Pandi

... Respondents



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Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the 2nd respondent not to interfere with the Civil Trade dispute based on the representation dated 27.01.2026.

For Petitioner : Mr.N.Mohan
For R1 – R3 : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)
For R4 & R5 : Mr.Selva Krishnan

ORDER

Seeking to direct the 2nd respondent not to interfere with the Civil Trade dispute based on the representation dated 27.01.2026, this criminal original petition is filed.

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

3. The learned counsel for the petitioner submitted that the petitioner is a FSSAI license holder, who is doing beverages agency business in Palani. The 6th respondent is a distributor, who had continuously supplied expired beverages. In this regard, dispute had arisen between the petitioner and the 6th respondent and the 6th



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respondent had terminated his dealership. Hence, he had commenced purchasing beverages from some other dealers and distributing the same to his customers. Thereafter, the 4th and 5th respondents have started distributing the 6th respondent's product. In this regard, dispute has arisen between the petitioner and the respondents 4 to 6. At the instance of the respondents 4 to 6, the 3rd respondent police is continuously harassing the petitioner. Hence, this petition.

4. The learned counsel for the 4th and 5th respondents submitted that the petitioner was already terminated from the distribution of the entire area of Palani. Despite the same, the petitioner is continuing to sell the products in Palani area.

5. The learned Government Advocate(Crl.side) submitted that earlier complaint was lodged by the petitioner and the same was amicably settled between the parties and the same was closed. Again, the petitioner had given a complaint and C.S.R.No.107 of 2026 was issued and the same is pending.



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

7. It is understood from the submission made by the learned Government Advocate(crl.side) that only on the complaint lodged by the petitioner, CSR was issued and the petitioner was called for enquiry and it is not at the instance of the respondents 4 to 6. The dispute between the petitioner and the respondents 4 to 6 is with respect to the distribution of beverages in certain area and with respect to the jurisdiction of supply of those beverages in the district of Dindigul. In view of the same, to allay the petitioner's apprehensions and to ensure fairness, the following directions are issued:

(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



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petitioner and the respondents 4 and 5. 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 persons 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.

8. 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 Deputy Superintendent of Police,
Palani,
Dindigul District.
- 2.The Inspector of Police,
Town Police Station, Palani,
Dindigul District.
3. The Inspector of Police,
Adivaram Police Station, Palani,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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