



Crl.O.P(MD)No.4222 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.4222 of 2026

- 1.S.R.Srinivas
- 2.M.Krishnan
- 3.Latha
- 4.Pavuntha

... Petitioners

Vs.

- 1.The State of Tamil Nadu,
Rep.by The Superintendent of Police,
O/o.The Superintendent of Police,
Virudhunagar,
Virudhunagar District.
- 2.The Deputy Superintendent of Police,
District Crime Branch Wing,
Virudhunagar,
Virudhunagar District.
- 3.The Inspector of Police,
District Crime Branch,
Virudhunagar,
Virudhunagar District.
- 4.The Sub Inspector of Police,
District Crime Branch,
Virudhunagar,
Virudhunagar District.



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... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, directing the 3rd and 4th respondents not to harass the above named petitioners in the guise of enquiry.

For Petitioner : Mr.B.N.Raja Moahamed

For R1 – R4 : Mr.M.Sakthi Kumar

Government Advocate(Crl.Side)

ORDER

At the instance of the 5th respondent, the 3rd respondent police is subjecting the petitioners to harassment continuously with respect to a dispute which had arisen out of a simple business transaction. Hence, this petition.

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

3. The learned counsel for the petitioner submitted that on 13.01.2026 the 5th respondent himself had made a written representation



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to the 4th respondent not to proceed with the pending investigation and close the enquiry. However, even thereafter, the respondent police are subjecting the petitioners to harassment.

4. The learned Government Advocate(crl.side) submitted that at the time of enquiry, it is true that an amicable solution was arrived at between the respective parties only on the assurance given by the 1st petitioner to pay an amount of Rs.3,50,11,000/- (Rupees Three Crores Fifty Thousand and Eleven Thousand only) to the 5th respondent respondent and settle the matter within 25.02.2026. Even thereafter, it is seen that the said settlement has not been made by the petitioner. However, without making a settlement, the petitioners have come before this Court.

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



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6. Considering the fact that already an inquiry has been initiated by the 4th respondent and the respective parties have appeared before the 4th respondent police and had given an undertaking, it is seen that only with respect to the written undertaking given by the petitioner, the 4th respondent has called the petitioner for inquiry. However, considering the fact that the dispute involved is purely a business dispute, to allay the petitioners' apprehensions and to ensure fairness, the following directions are issued:

(a) With respect to the complaint received against the petitioners, the respondent-police shall issue written summons/notice under Section 41A Cr.P.C/35(3) 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 petitioners' appearance.

(c) If the police, upon enquiry, conclude that a cognizable offence is made out and propose to register an FIR,



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the petitioners 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.

7. With the above directions, this Criminal Original Petition stands disposed of.

26.02.2026

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,
Virudhunagar,
Virudhunagar District.
- 2.The Deputy Superintendent of Police,
District Crime Branch Wing,
Virudhunagar,
Virudhunagar District.



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- 3.The Inspector of Police,
District Crime Branch,
Virudhunagar,
Virudhunagar District.
- 4.The Sub Inspector of Police,
District Crime Branch,
Virudhunagar,
Virudhunagar District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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