



CrI.O.P.(MD)No.4446 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **27.02.2026**

CORAM:

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

CrI.O.P.(MD)No.4446 of 2026

N.Anand

... Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

2. The Inspector of Police,
Awps, Sivagangai.

3. M.Indhumathi

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 seeking to direct the 1st respondent and their subordinates not to harass and not to ill treat the petitioner and his family members under the guise of enquiry at the instance of the complainant.

For Petitioner : Mr.S.Chandra Sekar

For Respondents : Mr.A.Thiruvadi Kumar (R1 & R2)

Additional Public Prosecutor



Crl.O.P.(MD)No.4446 of 2026

ORDER

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The petitioner seeks for a direction to the 1st respondent and their subordinates not to harass and not to ill-treat the petitioner and his family members under the guise of enquiry at the instance of the complainant.

2. The learned counsel for the petitioner submitted that at the instance of the 3rd respondent, the respondent police is unnecessarily harassing the petitioner and hence, this petition came to be filed.

3. The learned Additional Public Prosecutor submitted that it is all a matrimonial dispute between the petitioner and the third respondent, who is none other than the wife of the petitioner. In this regard, a case in IDOP No.331 of 2022 is pending before the Family Court, Sivagangai. Only on receipt of the complaint from the third respondent, he was required to appear for enquiry.

4. Heard the learned counsels on either side and carefully perused the materials available on record. Since no adverse order is proposed to be passed against the 3rd respondent, notice to her is dispensed with.



Crl.O.P.(MD)No.4446 of 2026

5. 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.

6. In this regard, considering the nature of the case involved is a matrimonial dispute and to allay the petitioner's apprehension, and to ensure fairness, the second respondent police is directed to issue written summons/notice under Section 62 Cr.P.C / 64 BNSS, 2023, specifying the date, time, and purpose of enquiry and thereafter conduct the enquiry in a fair and impartial manner. The second respondent police are strictly directed not to cause any harassment to the petitioner. The petitioner, in turn, is directed to appear before the second respondent police, if duly summoned and to co-operate with the enquiry.

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

27.02.2026

NCC : Yes / No
Index : Yes / No
Sm



Crl.O.P.(MD)No.4446 of 2026

L.VICTORIA GOWRI, J.

Sm

TO:-

1. The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.
2. The Inspector of Police,
Awps, Sivagangai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.4446 of 2026

Dated
27.02.2026