



Crl.O.P(MD)No.4428 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.4428 of 2026

- 1.Nelson Pitchaimuthu
- 2.Stephen Arockiadass
- 3.Jeyanthi
- 4.Sharmila
- 5.Darvin

... Petitioners

Vs.

- 1.The State of Tamil Nadu,
Rep.by the Superintendent of Police,
O/o.Superintendent of Police,
Dindigul District,
Dindigul.

- 2.The State of Tamil Nadu,
Rep.by The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul.
(Crime No.11/2026)

... Respondents/Complainants

- 3.Daisy Rani

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the 2nd respondent and his officials not to harass the petitioners unnecessarily against law under the guise of enquiry on the



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basis of the petitioners' representation dated 11.02.2026 to the 1st respondent to the 1st respondent.

For Petitioner : Mr.P.Krishnasamy

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

ORDER

Seeking to direct the 2nd respondent police not to harass the petitioners under the guise of enquiry at the instance of the complaint made by the 3rd respondent with respect to the retaliation double murder ongoing issue, this criminal original petition is filed.

2. Since no adverse order is passed against the 3rd respondent, notice to the 3rd respondent is dispensed with.

3. The learned counsel for the petitioners submitted that in the name of investigating a double murder and a retaliation murder, the petitioners are continuously subjected to harassment by the respondent police. In this regard, the petitioners had already filed Crl.O.P(MD)No. 2453 of 2026 on the file of this Court seeking anticipatory bail in Crime No.11 of 2026, in which this Court by order dated 09.02.2026, had



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recorded the submission made by the learned Additional Public Prosecutor that the petitioners are not accused in the case as on 09.02.2026. Even thereafter, they are continuously subjected to harassment. Hence, this petition.

4.The learned Government Advocate (Criminal Side) submitted that one Mayandi, a close relative of the petitioners, was allegedly murdered by one Sesuraja. In connection with the said occurrence, the said Sesuraja was tried and convicted. Subsequently, after securing suspension of sentence from this Court, the said Sesuraja and his wife were murdered at different locations. In respect of the said double murder, a criminal case was registered against eleven (11) accused persons, of whom nine (9) are adults and two (2) are juveniles. It was further submitted that since the deceased Mayandi was a close relative of the present petitioners and in view of the subsequent murder of Sesuraja and his wife, the petitioners have been summoned for enquiry. However, as on date, no criminal case has been registered against the petitioners.



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

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

(a) If it is necessary for the 2nd respondent or investigating agency to enquire any of the petitioners, written summons/notice under Section 62Cr.P.C/64 BNSS, 2023, specifying the date, time, and purpose of enquiry. Oral or informal summons are prohibited.

(b) It is made clear that if summons are served upon the petitioners, they should forthwith appear before the 3rd respondent police and should not evade the process of summons.

(c) The enquiry, if undertaken, shall be completed within four weeks from the date of the petitioner's appearance.

(d) 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.

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

26.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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Note : Issue order copy on 05.03.2026.

To

- 1.The Superintendent of Police,
O/o.Superintendent of Police,
Dindigul District,
Dindigul.
- 2.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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