



Crl.O.P(MD)No.23843 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.23843 of 2025

D.Manivannan

... Petitioner

Vs.

1.The Commissioner of Police,
Police Commissioner Office,
Madurai City,
Madurai.

2.The Inspector of Police,
Vilakuthoon Police Station,
Vilakuthoon,
Madurai -1.

... 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 for the false complaint preferred to him and on the basis of the representation preferred to the 1st respondent dated 17.12.2025.

For Petitioner : Mr.K.Shanmugaraja



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

ORDER

Seeking to direct the 2nd respondent not to harass the petitioner under the guise of enquiry for the false complaint preferred as against him and on the basis of the representation preferred to the 1st respondent dated 17.12.2025, this criminal original petition is filed.

2. The learned counsel for the petitioner submitted that earlier in this regard one Murugan @ Murugesan gave a complaint against the petitioner who is running a Jewellery Mart before the Theppakulam police station, for which the petitioner had filed Crl.O.P(MD)No.22521 of 2025 before this Court. This Court by an order dated 09.12.2025 has passed an order not to harass the petitioner. Complying the order passed by this Court, Theppakulam police had conducted an enquiry and closed the matter. Now, the very same Murugan @ Murugesan had filed



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another complaint before the Vilakuthoon Police Station. Hence, this petition is filed.

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

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

(a) With respect to the complaint received against the petitioner, the respondent-police shall issue written summons/notice under Section 64 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 petitioner's 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 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.

(e) The respondent police is further directed to ascertain whether the said Murugan who had lodged the complaint before the 2nd respondent police station is one and the same who had lodged the complaint before the Theppakulam police station and if it is found that both the persons are same, the respondent police is directed to close the matter.

5. With these directions, this Direction Petition stands allowed.

02.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

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To

- 1.The Commissioner of Police,
Police Commissioner Office,
Madurai City,
Madurai.
- 2.The Inspector of Police,
Vilakuthoon Police Station,
Vilakuthoon,
Madurai -1.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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