



Crl.O.P.(MD)No.65 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.01.2026**

CORAM:

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

Crl.O.P.(MD)No.65 of 2026

Saranya

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Devakkottai Sub-Division,
Sivagangai District.

3.The Inspector of Police,
Devakkottai Town Police Station,
Sivagangai District.

4.The Inspector of Police,
Devakkottai All Women Police Station,
Sivagangai District.

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 to direct the respondents 3 and 4 not to harass the petitioner under the guise of enquiry without due process of law.

For Petitioner : Mr.D.Rajaboopathy

For Respondents : Mr.M.Sakthikumar

Government Advocate (Crl.)



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ORDER

Seeking to direct the respondents 3 and 4 not to harass the petitioner on the guise of enquiry, this criminal original petition is filed.

2.The learned counsel for the petitioner submitted that the petitioner is required by the third respondent Police to appear for enquiry on a complaint given by her husband, namely, Meenakshi Sundaram, S/o Kalimuthu. The petitioner had also lodged a complaint as against her husband before the third respondent police with respect to domestic violence and the matrimonial discord, which had arisen between her and her husband. In the meanwhile, her husband had also lodged a complaint as against her claiming to have expended all the hard earned money of her husband, while he had been in abroad, which he had sent to the petitioner. However, the petitioner herein claims that she is consistently being harassed by the third respondent police and sought the indulgence of this Court.

3.The learned Government Advocate(crl.), on instructions, submitted that both the petitioner as well as her husband have lodged complaints as against each other and the question of harassment will not arise.



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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 from her husband, the respondent-police shall issue written summons/notice under Section 62 CrI.P.C./ 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, 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 respondents shall refrain from interfering in or attempting to adjudicate private civil rights between the parties.



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5. With the above directions, this Criminal Original Petition is allowd.

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NCC : Yes / No
Index : Yes / No
Rmk

TO:-

- 1.The Superintendent of Police,
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- 2.The Deputy Superintendent of Police,
Devakkottai Sub-Division,
Sivagangai District.
- 3.The Inspector of Police,
Devakkottai Town Police Station,
Sivagangai District.
- 4.The Inspector of Police,
Devakkottai All Women Police Station,
Sivagangai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Rmk

Order made in
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