



CrI.O.P. No. 5903 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2026

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THE HONOURABLE MR.JUSTICE M. NIRMAL KUMAR

CrI. O.P. No. 5903 of 2026

1. K. Udhayakumar
2. U. Gowtham

..Petitioners

Vs.

1. The Commissioner of Police,
Coimbatore city, Huzur Road,
Uppilipalayam,
Coimbatore 641 018.
2. The Inspector of Police,
E-1, Singanallur Police Station,
Coimbatore District.

..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to
direct the respondent not to harass the petitioners under the guise of enquiry.

For Petitioners :: Mr.G. Adithyaraj

For Respondents :: Mr.Leonard Arul Joseph Selvam
Addl. Public Prosecutor



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O R D E R

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This criminal original petition is filed to direct the respondents not to harass the petitioners under the guise of enquiry.

2. The case of the petitioners, who are father and son, is that certain miscreants encroached upon a Government property situate opposite to their residence, put up a temple structure and causing nuisance by using loud speakers, drums, tom-toms etc. Though writs were filed by the petitioners seeking direction to the Government Authorities to remove the encroachments and directions were also issued to the official respondents in the writ petition filed by the 1st petitioner to survey the land and to remove the encroachment, if any, found, till date, no action has been taken. The grievance of the petitioners is that on coming to know about the filing of writ petitions, some of the miscreants were creating ruckus every day and had also given a false complaint to the 2nd respondent against the petitioners. The petitioners also lodged a complaint about the illegal actions of those miscreants to the 2nd respondent. However, instead of taking action against those miscreants, the petitioners are called to the Police Station repeatedly



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under the guise of enquiry by the 2nd respondent. Hence, the criminal original petition.

3. Heard the learned counsel for the petitioners, who would submit that though the petitioners had attended the enquiry on multiple occasions, the petitioners are unnecessarily being harassed and threatened for no fault of theirs.

4. Learned Additional Public Prosecutor has filed a status report stating that the petitioners have made wild allegations without proper materials not only against individuals as though they had encroached upon poramboke land, they had also raised objections with regard to certain temples in their vicinity and their administration. It is stated in the report that those temples do not come under the HR & CE Department and they are locally administered by the villagers. Further, it is stated that devotional cinema songs are not played every day from 6.30a.m. to 9a.m. and from 6.30p.m. to 8.30p.m or throughout day and night during temple functions as alleged by the petitioners and that loudspeakers were used only in connection with the consecration of one Mariamman Temple and they have already been removed. Since, now, the petitioners are no longer required for



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any enquiry, the respondent Police may not come in search of the petitioners. Therefore, the apprehension of the petitioners is misconceived.

5. Heard both sides and perused the materials on record.

6. Finding that the respondent Police, as on date, does not require the presence of the petitioners for enquiry and there is no harassment, the criminal original petition stands dismissed.

24.03.2026

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To

1. The Commissioner of Police,
Coimbatore city, Huzur Road,
Uppilipalayam,
Coimbatore 641 018.
2. The Inspector of Police,
E-1, Singanallur Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.

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