



Crl.O.P.No.29359 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.29359 of 2024

1. S.Bakiyalakshmi

2. D.Senthil

... Petitioners

Vs.

1. The State represented by
The Deputy Superintendent of Police,
District Crime Branch,
Kancheepuram District.

2. The Inspector of Police,
District Crime Branch,
Kancheepuram District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS,
to direct the first and second respondents not to harass the petitioners
based on the complaint given by one Ashok Anand.

For Petitioners : Mr.S.Meenakshi Sundaram

For Respondents : Mr.S.Sugendran
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed seeking direction to direct the respondents not to harass the petitioners under the guise of enquiry.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondents and perused the materials available on record.

3. The learned counsel appearing for the petitioners submitted that the respondent police harassed the petitioners under the guise of enquiry.

4. The learned Additional Public Prosecutor appearing for the respondents submitted that the police called the petitioners for enquiry in the pending FIR in Crime No.5 of 2024. The case where the FIR is pending as against the petitioners, there is no scope for this Court to entertain the petition under Section 482 of Cr.P.C./ 528 of BNSS under the caption "Not to harass".



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5. Under such circumstances, once the regular FIR has been registered, the question of “Not to harass” will not arise. Any direction issued by this Court at this stage will amount to interfere with the investigation conducted by the respondent police. It is the duty of the petitioner to cooperate with the respondent police for enquiry.

6. In view of the same, this Criminal Original petition is dismissed.

25.11.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Deputy Superintendent of Police,
District Crime Branch,
Kancheepuram District.
2. The Inspector of Police,
District Crime Branch,
Kancheepuram District.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J.

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