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Crl.O.P.No.3628 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3628 of 2025

Selvi, aged about 45 years,
W/o. Murugesan,
No,360, PP Garden, 5th Street,
Aminjikarai,
Chennai District.

... Petitioner

Vs.

1. The City Police Commissioner,
Chennai City Police Commissioner Office,
Chennai District.

2.The Inspector of Police,
Choolaimedu Police Station,
Chennai District.

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to issue suitable directions of the respondent not to harass the petitioner under the guise of enquiry and pass suitable orders.

For Petitioner : Mr.A.Don Bosco

For Respondents : Mr.K.M.D.Muhilan,
Government Advocate (Crl. Side)



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ORDER

This petition has been filed seeking direction to issue suitable directions to the respondent not to harass the petitioner under the guise of enquiry.

2. The learned counsel appearing for the petitioner submits that the respondent police harassed the petitioner under the guise of enquiry.

3. Mr.K.M.D.Muhilan, learned Government Advocate (Crl.Side) appearing for the respondent police submits that the police called the petitioner for enquiry in the pending FIR in Crime No.29 of 2025. The case where the FIR is pending against the petitioner, there is no scope for this Court to entertain the petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, under the caption "Not to harass".

4. Heard the learned Counsel appearing on either side and perused the materials placed on record.

5. Under such circumstances, once the regular FIR has been



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registered, the question of “Not to harass” will not arise. Any direction issued by this Court at this stage will amount to interfering with the investigation conducted by the respondent police. Hence, this Criminal Original petition is dismissed.

12.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

To,

1. The City Police Commissioner,
Chennai City Police Commissioner Office,
Chennai District.

2. The Inspector of Police,
Choolaimedu Police Station,
Chennai District.

3. The Public Prosecutor, High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

bsm

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