



Crl.O.P.No.5487 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.5487 of 2025

1. L.Magesh Kumar Porwal
2. M.Manjula Devi

... Petitioners

Vs

1. The State Rep By,
The Commissioner of Police,
Salem, Salem Distirct.
2. The Assistant Commissioner of Police,
Central Crime Branch-Salem,
Salem District.
3. The Inspector of Police,
Central Crime Branch-Salem,
Salem District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the second and third respondents not to harass the petitioners based on representation dated 12.02.2025.

For Petitioners : Mr.K.Karthik

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



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ORDER

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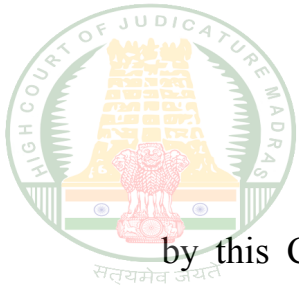
This petition has been filed directing the respondent police not to harass the petitioner and his family members.

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

3. The 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.4 of 2025. The case where the FIR is pending against the petitioners, 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 on either side and perused the materials placed on record.

5. Under such circumstances, once the regular FIR has been registered, the question of "Not to harass" will not arise. Any direction issued



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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.

27.02.2025

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

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G.K.ILANTHIRAIYAN. J.

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To

1. The Commissioner of Police,
Salem, Salem Distirct.
2. The Assistant Commissioner of Police,
Central Crime Branch-Salem,
Salem District.
3. The Inspector of Police,
Central Crime Branch-Salem,
Salem District.
4. The Public Prosecutor,
High Court, Madras.

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