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Crl.O.P.No.9692 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2025

CORAM:

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

Crl.O.P.No. 9692 of 2025

Kumar @ Mohanakirubakaran

... Petitioner

Vs.

1.The State rep by
The Assistant Commissioner of Police,
Pallavaram, Chennai.

2.The Inspector of Police,
Pallavaram Police Station,
Tambaram City, Chennai.

3.Vinayagam

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to direct the second respondent Police not to harass these petitioner in the guise of enquiry on the basis of the petitioner representation dated 22.03.2025.

For Petitioner : Mr.G.Mageshkumar

For Respondents : Mr. A.Gopinath
Government Advocate (Crl. Side)

ORDER



Crl.O.P.No.9692 of 2025

WEB COPY

This petition has been filed seeking direction to the second respondent police herein not to harass the petitioner in the guise of enquiry on the petitioner's representation dated 22.03.2025.

2. The learned counsel appearing for the petitioner submits that the respondent police harassed the petitioner 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.55 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 registered, the question of "Not to harass" will not arise. Any direction



Crl.O.P.No.9692 of 2025

WEB COPY

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.

02.04.2025

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

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WEB COPY



Crl.O.P.No.9692 of 2025

G.K.ILANTHIRAIYAN, J.

To

1. The Assistant Commissioner of Police,
Pallavaram, Chennai.

2. The Inspector of Police,
Pallavaram Police Station,
Tambaram City, Chennai.

3. The Public Prosecutor,
High Court, Madras.

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