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Crl.O.P.No.12753 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.12753 of 2025

P.Karthikeyan

... Petitioner

Vs

1. The Superintendent of Police,
Dharmapuri District.

2. The Inspector of Police,
Kariyamangalaim Police Station,
Dharmapuri District.

... Respondents

Criminal Original Petition is filed under Section 528 of B.N.N.S., to direct the second respondent herein not to harass the petitioner, based on the petitioner's representation dated 22.03.2025 without due process of law at instance of any false and frivolous complaint.

For Petitioner : Mr.M.Ravi

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



Crl.O.P.No.12753 of 2025

WEB COPY

ORDER

This Criminal Original Petition has been filed to direct the second respondent herein not to harass the petitioner, based on the petitioner's representation dated 22.03.2025, without due process of law, at the instance of any false and frivolous complaint.

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

3. The learned Government Advocate (Crl. Side) appearing for the respondents would submit the police called the petitioner for enquiry in the pending FIR in Crime No.141 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.



CrI.O.P.No.12753 of 2025

WEB COPY

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 interfering with the investigation conducted by the respondents police. Hence, this Criminal Original petition is dismissed.

25.04.2025

Index: Yes/No
Neutral Citation/Yes/No
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To

1. The Superintendent of Police,
Dharmapuri District.
2. The Inspector of Police,
Kariyamangalaim Police Station,
Dharmapuri District.
3. The Public Prosecutor,
High Court of Madras.

3/4



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Crl.O.P.No.12753 of 2025

G.K.ILANTHIRAIYAN, J.

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Crl.O.P.No.12753 of 2025

25.04.2025