



Crl.O.P.No.19193 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.19193 of 2025

M.Karthikeyan

... Petitioner

Vs.

1. The Superintendent of Police
Thiruvallur District
Head Quarters

2. The State Represented by
The Deputy Superintendent of Police
District Crime Branch
Thiruvallur District, Thiruvallur

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the respondent not to harass the petitioner not against the false complaint.

For Petitioner

: Mr.K.Thirunavukarasu

For Respondents

: Mr.S.Vinoth Kumar

Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed by the petitioner to direct the respondents not to harass the petitioner under the guise of enquiry.



CrI.O.P.No.19193 of 2025

2. The case of the petitioner is that the respondent police without sending any summons, harassing the petitioner under the guise of enquiry based on the false complaint lodged by one Brine Balachander. Hence, the present petition is filed.

3. Heard both sides and perused the materials available on record.

4. It is seen that the first respondent has forwarded the complaint given by the defacto complainant, to the second respondent and the same has been received by the second respondent on 15.06.2025 itself. Even after a period of 20 days, no notice/summon under Section 35 of the B.N.S.S. has been issued to the petitioner and the complaint has been kept pending in the cold storage.

5. Therefore, the second respondent police is directed not to harass the petitioner without sending notice under Section 35 of B.N.S.S. The respondent police shall send appropriate notice/summon and conduct enquiry/investigation as the case may be.

6. It is made clear that when the petitioner is served with the notice under Section 35 of B.N.S.S., the petitioner has to co-operate for the enquiry/investigation as the case may and he should not take advantage of this order for non co-operation.



Crl.O.P.No.19193 of 2025

7. With the above directions, this Criminal Original Petition is disposed of.

10.07.2025

Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

ksa-2

To

1. The Superintendent of Police
Thiruvallur District
Head Quarters
2. The Deputy Superintendent of Police
District Crime Branch
Thiruvallur District, Thiruvallur
3. The Public Prosecutor
High Court of Madras, Chennai



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CrI.O.P.No.19193 of 2025

P.VELMURUGAN, J

ksa-2

CrI.O.P.No.19193 of 2025

10.07.2025