



Crl.O.P.No.20714 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No. 20714 of 2025

1. M.Sivaprasad
2. Nalini Sri

... Petitioners

Vs.

1. The Commissioner of Police,
Office of the Commissioner of Police,
Avadi, Chennai-600 054.
2. The Inspector of Police
Central Crime Branch (CCB),
EDF - II, Team,
Avadi, Chennai - 600 054.
3. Selvarani

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to direct the 2nd respondent herein not to harass the petitioners and their family members on the guise of enquiry except in accordance with law.

For Petitioners : Mr.M.Shakulhameed

For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)
for R1 and R2



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ORDER

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The Criminal Original Petition is filed seeking a direction to the 2nd respondent-Police not to harass the petitioners and their family members on the guise of enquiry except in accordance with law.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for respondents 1 and 2 and perused the materials available on record.

3. Learned Government Advocate (Crl.Side) appearing for respondents 1 and 2, on instructions, submitted that based on the complaint given by the third respondent herein/*de-facto* complainant, the second respondent/Police issued summons to the petitioners for enquiry and that there is no harassment as alleged by the petitioners.

4. No doubt, after receiving the complaint, it is the duty of the Police to conduct an enquiry prior to registration of the case and to file a final report. However, calling the petitioners for enquiry cannot be taken as harassment. In the case on hand, as per the prosecution the petitioners



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was called for enquiry which was held on 12.07.2025. Instead of appearing before the second respondent/Police, the petitioners rushed to this Court praying to direct the second respondent/Police not to harass the petitioners.

5. Taking note of the above facts, this Court is not inclined to interfere with the enquiry/investigation of the second respondent/Police and there is no *prima facie* materials to show that second respondent/Police have harassed the petitioners. Hence, this Criminal Original Petition is dismissed with a direction to the petitioners to co-operate for the enquiry/investigation.

23.07.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

1. The Commissioner of Police,
Office of the Commissioner of Police,
Avadi, Chennai-600 054.
2. The Inspector of Police
Central Crime Branch,
CCB EDF – II, Team,
Avadi, Chennai-600 054.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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