



WEB COPY



Crl.O.P.No.20755 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2025

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No. 20755 of 2025

G.Sherin Sylvia

... Petitioner

Vs.

R2, The Inspector of Police,
Kodambakkam Police Station,
T.Nagar, Chennai-600 024.

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to direct the respondent-Police not to harass the petitioner and her family members.

For Petitioner : Mr.S.Jim Raj Milton

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The Criminal Original Petition is filed seeking a direction to the respondent-Police not to harass the petitioner and her family members.



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2. Heard the learned counsel for the petitioner and the learned

Government Advocate (Crl.Side) appearing for respondent and perused the materials available on record.

3. According to the petitioner, the *de-facto* complainant, who is the husband of the petitioner herein, had lodged a complaint alleging that his son was missing and subsequently, the respondent-Police registered a case in Crime No.103 of 2025 against the petitioner herein. It is the contention of the petitioner that despite being the biological mother and natural guardian, she has not been permitted to meet her child and hence, the petitioner had taken her child with her and the same was duly communicated to the respondent-Police through her Advocate and requested to close the case. The respondent-Police, instead of closing the complaint, continuously harassing the petitioner and her family members under the guise of enquiry.

4. No doubt, after receiving the complaint, it is the duty of the Police to conduct an enquiry and if they found that *prima facie* case is made out, they are bound to register the complaint and to file a final



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report. However, calling the petitioner for enquiry cannot be taken as harassment. In the instant case, on the complaint given by the *de-facto* complainant, the respondent-Police had registered the case in Crime No.103 of 2025 against the petitioner and investigation is under progress and hence, there is no question of harassment as alleged by the petitioner.

5. Therefore, the Criminal Original Petition is dismissed. The respondent-Police, is hereby directed to expedite the investigation and file a charge sheet within a period of one month from the date of receipt of a copy of this order. It is open to the petitioner to work out her remedy before the competent family Court.

23.07.2025

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

1. R2 The Inspector of Police,
Kodambakkam Police Station,
T.Nagar, Chennai-600 024.
2. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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