



WEB COPY



Crl.O.P.No.24745 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.24745 of 2024

1. Chellathurai,
S/o. Murugan,
Branch Manager,
Best Money Gold Pvt Ltd.,
No.105, Triplicane Main Road,
Opp to Post Office,
Triplicane, Chennai - 600 005.

2. Gnanasekaran,
S/o Arul, Zonal Manager,
Best Money Gold Pvt Ltd.,
No. 105, Triplicane Main Road,
Opp to Post Office,
Triplicane, Chennai - 600 005.

3. Balaji,
S/o.Sitharam,
Assistant Branch Manager,
Best Money Gold Pvt Ltd.
No.105, Triplicane Main Road,
Opp to Post Office,
Triplicane, Chennai - 600 005.

... Petitioners

/versus/

1. The Commissioner of Police,
Chennai City.

2. The Inspector of Police,
B-2, Esplanade Police Station,
Chennai.

... Respondents



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Prayer: Criminal Original Petition is filed under Section 528 of BNSS., pleaded to direct the 2nd respondent herein not to harass the petitioner and by considering the petitioner's representation dated 25.09.2024.

For Petitioner : Mr.B.M.Santharam
For Respondents : Mr.R.Vinothraja,
Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the 2nd respondent herein not to harass the petitioner and by considering the petitioner's representation dated 25.09.2024.

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

3. The learned Additional Public Prosecutor appearing for the respondent police submits that the petitioner is an accused in Crime No. 247 of 2024 on the file of the respondent police.

4. Further, the learned Additional Public Prosecutor appearing for the respondent police submits that the police called the petitioner for enquiry in Crime No.247 of 2024. The case where the FIR is pending against the



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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".

5. Heard the learned Counsel appearing on either side and perused the materials placed on record.

6. 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 respondent police. Hence, this Criminal Original petition is dismissed.

06.02.2025

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

To,

1. The Commissioner of Police, Chennai City.
2. The Inspector of Police, B-2, Esplanade Police Station, Chennai.
3. The Public Prosecutor, High Court, Madras.



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G.K.ILANTHIRAIYAN, J.
bsm

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