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Crl.O.P.No.29338 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No. 29338 of 2025

Hassan Niyaz

... Petitioner

Vs.

Inspector of Police,
F – 3, Nungambakkam Police Station,
Chennai – 600 034.

... Respondent

PRAYER : Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to direct the respondent police, the Inspector of Police, F - 3, Nungambakkam Police Station, Chennai, not to harass the petitioner except under due process of law.

For Petitioner : Mr. A.Arunkumar

For Respondent : Mr. R.Vinothraja
Government Advocate
(Criminal Side)



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ORDER

This criminal original petition has been filed seeking a direction to the respondent not to harass the petitioner under the guise of enquiry.

2. The case of the petitioner is that under the pretext of conducting an enquiry, the respondent Police are unnecessarily harassing the petitioner.

3. When the matter is taken up for hearing, learned Government Advocate (Criminal Side), appearing for the respondent would submit that a case has been registered in Crime No.64 of 2025 against one Amid Mahsook, who is a nephew of the petitioner and the petitioner has been summoned only to find out whereabouts of the accused and other than that, they have not done anything to harass the petitioner. He would also submit that the petitioner is not an accused in the case.



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4. Such being the position, it is for the Investigating Agency to issue appropriate notice to the petitioner under Section 35 (3) of BNSS for enquiry and on receipt of such notice, the petitioner shall appear for enquiry and co-operate in the investigation. It is made clear that the petitioner shall not be harassed during the course of enquiry. The respondent shall conduct an enquiry, in the manner known to law.

5. Accordingly, this criminal original petition stands disposed of with the aforesaid direction.

29.10.2025

Neutral Citation: Yes/No

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To

The Inspector of Police,
F – 3, Nungambakkam Police Station,
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A.D.JAGADISH CHANDIRA, J.

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