



WEB COPY

CRL OP No. 28138 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 28138 of 2025

1. R.Kannan Nandhakumar

S/O. Raju

2. Usha Rani

W/O.Mr.R.Kannan Nandakumar, Bothe
are residint at Plot No.6, Ground Floor,
Sri ram Nagar Extn. Selaiyur, Chennai
600 073

Petitioner(s)

Vs

1. State rep by

1.The Deputy Commissioner of Police,
Tambaram Commissionerate,
Tambaram.

2.The Inspector of Police

T-6 Peerkankaranai Police Station,
Perungalathur, Chennai.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS pleaded
to direct the respondents not to harass the petitioners in the guise of
investigation and to pass such other orders



For Petitioner(s): Mr.R.C.Paul Kanagaraj

For Respondents: Mr.R.Vinodh Raja,
Government Advocate [Crl.Side]

ORDER

This Criminal Original petition has been filed to direct the respondents not to harass the petitioners in the guise of investigation on the basis of the complaint given by the defacto complainant.

2. The case of the petitioners is that initially the defacto complainants booked a villa with the construction company owned by the petitioners and as they could not mobilize funds, they are demanding the advance amount by them with exorbitant interest and in this regard, they had preferred a complaint before the second respondent. The respondents instead of sorting out the issue, the second respondent is coercing the petitioners to settle the matter by paying money to the defacto complainant. Hence, the present petition has been filed.



3. The learned Government Advocate [Criminal Side] on instructions submitted that a current paper enquiry is pending against the petitioners.

4. Such being the position, it is for the investigating agency to issue appropriate notice to the petitioners under Section 35(3) of BNSS for enquiry and on such notice, the petitioners shall appear for enquiry and co-operate with the investigation. If any cognizable offence is made out, the second respondent shall proceed as per law.

5. With the above direction, this Criminal Original Petition is disposed of.

15-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc



To

1. The Deputy Commissioner of Police,
Tambaram Commissionerate,
Tambaram.

2. The Inspector of Police
T-6 Peerkankaranai Police Station,
Perungalathur, Chennai.

3. The Public Prosecutor,
High Court, Madras.



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N.SATHISH KUMAR J.

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