



Crl.O.P.No.29891 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2025

CORAM:

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

Crl.O.P.No.29891 of 2025

Ghani Mohammed Fawwad Shahzeb

@ Tr.Ghani Fawad

... Petitioner

Vs.

1.The State Rep by
The Deputy Superintendent of Police,
District Crime Branch,
Tirupattur,
Tirupattur District.

2.The State Rep. by
The Superintendent of Police,
District Crime Branch,
Tirupattur,
Tirupattur District – 635 601.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to direct the respondents not to harass the petitioner in respect of complaint pending as against him.



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For Petitioner : Mr. M.Rajeswaran

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

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 in respect of the complaint given by the de facto complainant, the respondent police are unnecessarily harassing the petitioner.

3. Learned Government Advocate (Criminal Side), on instructions, submitted that based on the complaint given by the de facto complainant, the respondent police are conducting an enquiry in C.S.R.No.213 of 2025 and that the petitioner was called only for enquiry.



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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. If any cognizable offence is made out, the respondent Police shall register a First Information Report and proceed in accordance with law.

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

04.11.2025

Neutral Citation: Yes/No

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1.The Deputy Superintendent of Police,
District Crime Branch,
Tirupattur,
Tirupattur District.

2.The Superintendent of Police,
District Crime Branch,
Tirupattur,
Tirupattur District – 635 601.

3.The Public Prosecutor,
Madras High Court,
Chennai.



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A.D.JAGADISH CHANDIRA, J.

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