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CrI.O.P.No.29250 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2025

CORAM:

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

CrI.O.P.No.29250 of 2025

Mohammed Shaul Hameed

... Petitioner

Vs.

The Inspector of Police,
Viruthampattu Police Station,
Vellore District.

... Respondent

PRAYER : Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to direct the respondent not to harass the petitioner under the pretext of enquiry, without following due process of law.

For Petitioner : Mr.T.Senthilkumaran

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

ORDER

The Criminal Original Petition has been filed seeking a direction to the respondent not to harass the petitioner under the guise of enquiry.



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2. The case of the petitioner is that under the pretext of conducting an enquiry in connection with a civil dispute between the petitioner and one Venkatraghavan, 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.890 of 2025 and that the petitioner was called only for enquiry.

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.



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WEB COPY 5. Accordingly, this Criminal Original Petition stands disposed of with the aforesaid direction.

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Neutral Citation: Yes/No

To

1. The Inspector of Police,
Viruthampattu Police Station,
Vellore District.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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