



WEB COPY



CrI.OP.No.31837 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2025

CORAM:

THE HON'BLE MR.JUSTICE **M.NIRMAL KUMAR**

CrI.OP.No.31837 of 2025

Sithi Javahira

...Petitioner

Vs.

1. State rep. by,
The Commissioner of Police,
Office of the Commissioner of Police,
Chennai City, Opposite to Dhinathanthi Office,
E.V.K. Sampath Road, Veppery,
Chennai – 600 007.
2. Assistant Commissioner of Police,
Office of Assistant Commissioner of Police,
Nungambakkam, Valluvar Kottam High Road,
Ponnanjupuram, Nungambakkam,
Chennai – 600 034.
3. The Inspector of Police,
F-3 Nungambakkam Police Station,
Valluvar Kottam High Road, Ponnanjupuram,
Nungambakkam, Chennai – 600 006.

...Respondents

Criminal Original Petition filed under Section 528 of BNSS, 2023, to direct the respondents to not to harass the petitioner in the guise of investigation in any manner without adopting due process.



CrI.OP.No.31837 of 2025

WEB COPY

For Petitioner : Mr.G.Karuppasamy Pandian

For Respondents : Mr.K.M.D.Muhilan, Addl. Public Prosecutor

ORDER

This criminal original petition has been filed seeking to direct the respondents 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 connection with the alleged confession made by some of the accused persons as against the petitioner's youngest son, the respondents are unnecessarily harassing the petitioner. Aggrieved by the same, the petitioner made a representation before the respondents on 04.10.2025, seeking not to harass the petitioner as well as her family members, which evoked no response. Hence, this petition.

3. Learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that the respondents are conducting enquiry after following due process of law and that the petitioner was called



Crl.OP.No.31837 of 2025

only for enquiry.

WEB COPY

4. In such circumstances, 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 disposed of.

24.11.2025

skt

Index	: Yes/No
Speaking order	: Yes/No
NCC	: Yes/No



CrI.OP.No.31837 of 2025

To:

1. The Commissioner of Police,
Office of the Commissioner of Police,
Chennai City, Opposite to Dhinathanthi Office,
E.V.K. Sampath Road, Veppery,
Chennai – 600 007.
2. Assistant Commissioner of Police,
Office of Assistant Commissioner of Police,
Nungambakkam, Valluvar Kottam High Road,
Ponnanjupuram, Nungambakkam,
Chennai – 600 034.
3. The Inspector of Police,
F-3 Nungambakkam Police Station,
Valluvar Kottam High Road, Ponnanjupuram,
Nungambakkam, Chennai – 600 006.
4. The Public Prosecutor,
Madras High Court.



WEB COPY



Crl.OP.No.31837 of 2025

M.NIRMAL KUMAR, J.

skt

Crl.OP.No.31837 of 2025



WEB COPY



CrI.OP.No.31837 of 2025

24.11.2025