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Crl.O.P.No.32082 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2025

CORAM:

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

Crl.O.P.No.32082 of 2025

Velmail

... Petitioner

Vs.

1. The State of represented by,
The Superintendent of Police,
Superintendent of Police Station,
Kallakurichi District.
2. The Inspector of Police,
Elavanasurkottai Police Station,
Ulundurpet, Kallakurichi District.
3. Prabhakaran
4. Suresh

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to direct the respondents not to harass the petitioner and his family in the name of enquiry.

For Petitioner : Mr.T.Muruganantham

For R1 & R2 : Mr.R.Vinothraja
Government Advocate (Criminal Side)



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ORDER

The present Criminal Original Petition has been filed seeking a direction to the respondents not to harass the petitioner and his family under the guise of enquiry.

2. The case of the petitioner is that under the pretext of conducting an enquiry in connection with the civil dispute with the fourth respondent, the third respondent, who is working as a Sub-Inspector of Police in the second respondent police station, is unnecessarily harassing the petitioner and his family members and is also threatening and coercing the petitioner to go for a settlement with the fourth respondent.

3. Learned Government Advocate (Criminal Side), on instructions, submitted that based on the complaint given by the fourth respondent on 10.11.2025, a preliminary enquiry is being conducted under Section 173 BNSS and the petitioner was called only for enquiry. He further submitted that the petitioner was not harassed by the respondents.

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



Crl.O.P.No.32082 of 2025

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.

25.11.2025

Neutral Citation: Yes/No
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To

1. The Superintendent of Police,
Superintendent of Police Station
Kallakurichi District.
2. The Inspector of Police,
Elavanasurkottai Police Station,
Ulundurpet, Kallakurichi District.
3. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.32082 of 2025

A.D.JAGADISH CHANDIRA, J.

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Crl.O.P.No.32082 of 2025

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