



Crl.O.P(MD)No.4598 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD)No.4598 of 2025

Vivekanandan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by,
The Commissioner of Police,
Madurai City,
Madurai District.

2.The Inspector of Police,
E1- Police Station,
K.Puthur,
Madurai District.

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S., 2023, to direct the respondents not to harass the petitioner under the guise of initiation of Section 128 of BNSS, 2023 proceedings and without following the due process of law as contemplated in the BNSS, 2023.

For Petitioner : Mr.G.Sailendrababu
For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed to direct the respondents not to harass the petitioner under the guise of initiation of proceedings under Section 128 of BNSS, 2023 without following the due process of law.

2. The learned Government Advocate (Crl. Side) appearing for the respondents would submit that they have not harassed the petitioner as alleged by the petitioner. In fact they received the intelligence report that the petitioner involved in procurement of Kanja with other accused and thereby, for enquiry purpose, they called the petitioner and thereafter, the petitioner has not appeared. Therefore, the prayer of the petitioner itself is misconceived and the petition is liable to be dismissed.

3. Since the prayer of the petitioner is not to harass the petitioner under the guise of enquiry proceedings under Section 128 of BNSS, 2023 without following due process of law and the respondents denied the initiation of proceedings under Section 128 of BNSS, 2023 and only for the purpose of enquiry in respect of Kanja case, they called the petitioner for enquiry, this



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Court after recording the above said submission of the learned Government Advocate (Crl. Side) appearing for the respondents inclined to close this petition.

7. Accordingly, this Criminal Original Petition stands closed.

12.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

- 1.The Commissioner of Police,
Madurai City,
Madurai District.
- 2.The Inspector of Police,
E1- Police Station,
K.Puthur,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

BTR

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