



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 23-01-2026**

CORAM

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

**CRL OP No. 1440 of 2026**

Clement Esleen Raj

..Petitioner

Vs

1. The Commissioner of Police,  
Office of Tambaram Commissioner of Police,  
Elcott Chowk, Karapakkam,  
Sholinganallur,  
Chennai - 600119.
2. The Inspector of Police,  
Crime Branch, Selaiyur Police Station,  
Aarthi Nagar, Selaiyur,  
Chennai - 600073.

3. Samuel Rajaiah

..Respondents

**PRAYER:** Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the respondents not to harass the petitioner and pass such further or other orders may deem fit and proper in the circumstances of the case and thus render justice.

|                 |   |                                     |
|-----------------|---|-------------------------------------|
| For Petitioner  | : | Ms.Shaikh Mehrunisa                 |
| For Respondents | : | Mr.S.Santhosh                       |
| 1 and 2         |   | Government Advocate (Criminal Side) |

**ORDER**

The present Criminal Original Petition has been filed seeking a direction to the respondent police 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 existing money dispute with third respondent, the respondent Police are unnecessarily harassing him.

3. Learned Government Advocate (Criminal Side), on instructions, submitted that based on the complaint given against the petitioner, the respondent Police are conducting an enquiry in C.No.1499/AC-SLK/CoP/2025, dated 08.11.2025 and that the petitioner was called only for enquiry and was not harassed during the 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.

5. Accordingly, this Criminal Original Petition stands disposed of.

**23-01-2026**

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No  
SRM



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To

1. The Commissioner of Police,  
Office of Tambaram Commissioner of Police,  
Elcott Chowk, Karapakkam,  
Sholinganallur,  
Chennai - 600 119.
2. The Inspector of Police,  
Crime Branch, Selaiyur Police Station,  
Aarthi Nagar, Selaiyur,  
Chennai - 600 073.
3. The Public Prosecutor,  
High Court of Madras.



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**A.D.JAGADISH CHANDIRA, J.**

SRM

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