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Crl.O.P.No.1558 of 2026

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2026

CORAM:

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

Crl.O.P.No.1558 of 2026

V.Avinash

... Petitioner

Vs.

1. The Commissioner of Police,
Office of the Commissioner of Police,
Greater Chennai,
Vepery, Chennai – 600 007.

2. The Inspector of Police,
N-2, Kasimedu Police Station,
Chennai.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C, to direct the second respondent police not to harass the petitioner and his family based on his complaint dated 25.12.2025.

For Petitioner : Mr.S.Karthikeyan
for Mr.V.Anbarasan

For Respondents : Mr.S.Santhosh
Government Advocate (Criminal Side)

ORDER

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



2. The submissions of the learned counsel for the petitioner are as follows:-

2.1. The petitioner is arrayed as the second accused in Crime No.267 of 2025 registered on the file of the second respondent police, on the basis of the complaint given by one Saravanan. In the said case, the petitioner was arrested and later released on bail.

2.2. Thereafter, when the petitioner went to the second respondent Police Station to comply with the bail order, he was instigated by the police personnel named Manikandan and Pavithran to murder one Advocate Subburaj, stating that the said Advocate was the person behind the de facto complainant in Crime No.267 of 2025, and they will help the petitioner to escape from the clutches of law.

2.3. The said police personnel began to pressurize the petitioner. When the petitioner refused to act as per their directions and recorded the telephonic conversations with them, they forcibly took his mobile phone and deleted the recordings.

2.4. Further, threatening that they would register a false case under NDPS Act, they insisted the petitioner to give a complaint against the said Advocate Subburaj, alleging that he was attacked by the said Advocate and his henchmen, that his cellphone was taken away and that threats were issued to the police.



2.5. Therefore, apprehending further harassment, the petitioner gave a representation to the first respondent on 25.12.2025, explaining all the above events and seeking not to harass him.

2.6. The representation dated 25.12.2025 was forwarded by the first respondent to the second respondent. On receipt of the same, two police personnel from the second respondent police station came to the petitioner's house and threatened him to withdraw the complaint and asked him to do as directed by them.

2.7. Thereafter, one Ezhil Maran visited the petitioner's house and threatened the petitioner's mother and brother.

2.8. Therefore, unable to bear their harassment, the present petition has been filed.

3. Learned Government Advocate (Criminal Side), on instructions, submitted that the complaint dated 25.12.2025 given by the petitioner to the first respondent is being enquired into by the second respondent in C.No.10194/2025/COP/Vist/2025 and it is still pending. He further submitted that the petitioner was called only for enquiry and was not harassed during the enquiry.



4. Having heard the learned counsel appearing on either side and upon perusing the materials available on record, including the complaint dated 25.12.2025 made by the petitioner and taking note of the averments made therein, this Court finds that the averments are serious. The petitioner also claims that there are recordings of the telephonic conversations between himself and Manikandan and Pavithran, who are stated to have instigated the petitioner to commit the murder of Advocate Subburaj. Serious allegations are thus made against the two police personnel belonging to the second respondent police station and this Court takes serious note of the same.

5. In such circumstances, this Court is of the view that the representation of the petitioner has to be enquired into by an officer not below the rank of the Deputy Commissioner of Police.

6. In view of the above, this Court directs the Deputy Commissioner of Police, Flower Bazaar, Chennai, to enquire into the petitioner's complaint dated 25.12.2025 and proceed in accordance with law. It is made clear that the petitioner shall not be unnecessarily harassed.



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7. With the above directions and observation, this Criminal
Original Petition stands disposed of.

28.01.2026

Neutral Citation: Yes/No
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To

1. The Commissioner of Police,
Office of the Commissioner of Police,
Greater Chennai,
Vepery, Chennai – 600 007.
2. The Inspector of Police,
N-2, Kasimedu Police Station,
Chennai
3. The Public Prosecutor,
High Court of Madras.

Copy to: The Deputy Commissioner of Police,
Flower Bazaar, Chennai.



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A.D.JAGADISH CHANDIRA, J.

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