



WEB COPY

CRL OP No. 3087 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

CORAM

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

CRL OP No. 3087 of 2026

1. Periyathambi
2. Baskaran
3. Gunasekaran
4. Mohammed Rafi

..Petitioner(s)

Vs

1. The State rep by its
The Commissioner of Police,
Salem City,
Salem.
2. The Inspector of Police
Annathanapatty Police Station,
Salem City.

..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the second respondent not to harass the petitioners except due process of law.

For Petitioners : Mr.M.Subash
For Respondents : Mr.S.Santhosh,
Government Advocate (Criminal Side)



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ORDER

The present Criminal Original Petition has been filed seeking a direction to the second respondent police not to harass the petitioners under the guise of enquiry.

2. The case of the petitioners is that under the pretext of conducting an enquiry in connection with the existing civil dispute with the second respondent, the respondent Police are unnecessarily harassing them.

3. Learned Government Advocate (Criminal Side), on instructions, submitted that based on the complaint given against the petitioners, the respondent Police are conducting an enquiry in C.No.79/INS/B4/PS/SLM (City)/2025 and that the petitioners were called only for enquiry and were not harassed during the enquiry.

4. Such being the position, it is for the Investigating Agency to issue appropriate notice to the petitioners under Section 35(3) of BNSS for enquiry and on receipt of such notice, the petitioners shall appear for enquiry and co-operate in the investigation. It is made clear that the petitioners 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.

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

10-02-2026

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

To

1. The Commissioner of Police,
Salem City
Salem.
2. The Inspector of Police,
Annathanapatty Police Station,
Salem City.



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A.D.JAGADISH CHANDIRA, J.

SRM

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