



CrI.OP.No.3895 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2026

CORAM:

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

CrI.OP.No.3895 of 2026

1. Gunasekar
  2. Hari Prasad
  3. Sathish Babu
- ...Petitioners

Vs.

The Inspector of Police,  
Land Grabbing Prohibition Special Wing,  
CCB Tambaram, Chengalpattu District.

...Respondent

Criminal Original Petition filed under Section 528 of BNSS, 2023, seeking to direct the respondent-police not to harass the petitioners in any manner under the guise of an enquiry.

For Petitioners : Mr.S.Arivazhagan, for  
Mr.D.R.Ashok Kumar

For Respondent : Mr.S.Santhosh, GA(CrI. Side)

**ORDER**

This criminal original petition has been filed seeking to direct the respondent-police not to harass the petitioners under the guise of enquiry.



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2. When the matter was taken up for hearing, the learned Government Advocate (Criminal Side) appearing for the respondent, on instructions, submitted that the petitioners herein are the legal heirs of one Premavathy, against whom an FIR in Crime No.39 of 2025 came to be registered on the file of the respondent-police and the petitioners are called only for enquiry and that the respondent-police are not unnecessarily harassing the petitioners.

3. In response, the learned counsel for the petitioners submitted that the said Premavathy passed away as early as on 24.03.2021. However, the respondent police issued summons calling upon the said Premavathy for enquiry in connection with a complaint made by one Purushothaman alleging land grabbing/impersonation, only on 01.09.2021, which is not sustainable.

4. In such circumstances, 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



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and co-operate in the investigation. It is made clear that the petitioners shall not be harassed during the course of enquiry/investigation. If any cognizable offence is made out, the respondent shall register a First Information Report and proceed in accordance with law.

5. This criminal original petition stands disposed of accordingly. It is made clear that if there is no specific allegation made against the petitioners herein, the respondent-police shall not unnecessarily harass the petitioners and their family members.

**17.02.2026**

skt

NCC : Yes/No

To:

1. The Inspector of Police,  
Land Grabbing Prohibition Special Wing,  
CCB Tambaram, Chengalpattu District.
2. The Public Prosecutor,  
Madras High Court.

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

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