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CRL OP No. 5385 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 5385 of 2026

1. Rafica Zainu Nishtar
2. P.K.Mohamed Nishtar

..Petitioner(s)

Vs

State Rep. by The Inspector of Police
Kanathur Police Station,
East Coast Road (ECR),
Kanathur,
Muthukadu,
Chennai - 603 112.

..Respondent(s)

Criminal Original Petition is filed under Section 528 of B.N.S.S., to direct the respondent to refrain from harassing the petitioners based on the false and frivolous complaints by calling the petitioners or their persons and detaining them in the police station under the guise of enquiry and threatening them.

For Petitioner(s): Ms.R.Maheswari

For Respondent(s): Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor

ORDER

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



2. The case of the prosecution is that the petitioners have been unnecessarily having a sound system, which is causing disturbance to the neighbours and others. Hence, the complaint.

3. The learned Additional Public Prosecutor appearing for the respondent submitted that two First Information Reports have been registered against the petitioners. Earlier, one Ajay Reddy has lodged a complaint against the petitioners, pursuant to which, the petitioners were called for enquiry and their statements were recorded. Subsequently, another complaint was received on 10.01.2026 and a case in Crime No.12 of 2026 has been registered against the petitioners. For the purpose of investigation, the petitioners were called for enquiry through telephonic communication.

4. Considering the submissions made and on perusal of the materials available on record, it is seen that the petitioners were called for enquiry in connection with the investigation in Crime No.12 of 2026. The respondent is at liberty to issue appropriate notice to the petitioners, conduct enquiry and proceed further in accordance with law.



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5. With the above observations, this Criminal Original Petition stands disposed of.

25-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VKR

To

1.The Inspector of Police
Kanathur Police Station,
East Coast Road (ECR),
Kanathur, Muthukadu,
Chennai - 603 112.

2.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

VKR

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