



Crl.O.P.No.5258 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2026

CORAM:

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.5258 of 2026

Kesavan

... Petitioner

Vs.

1.The Superintendent of Police,
Thiruvarur, Thiruvarur District.

2.The Deputy Superintendent of Police,
Prohibition and Enforcement Wing,
Nannilam, Thiruvarur District.

3.The Inspector of Police,
Kudaivasal Police Station,
Thiruvarur District.

4.The Inspector of Police,
Prohibition and Enforcement Wing,
Nannilam, Thiruvarur District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to direct the respondents not to harass the petitioner in any manner except by due process of law pursuant to the representation dated 12.02.2026 given to the respondents.



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For Petitioner : Mr.M.Rajkumar

For Respondents : Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor

ORDER

The present Criminal Original Petition has been filed seeking a direction to the respondents not to harass the petitioner under the guise of enquiry, except by due process of law pursuant to the representation dated 12.02.2026 given to the respondents.

2. The case of the petitioner is that he is aged about 60 years and is a senior citizen, who has reformed himself. Earlier, certain cases were registered against him during the period from 2011 to 2023 and in all those cases, he had pleaded guilty. Thereafter, he reformed himself and engaged in agricultural activities. Recently, he had applied a loan before the District Collector and was sanctioned a sum of Rs.50,000/- as a cattle loan. Utilizing the said loan amount, the petitioner is carrying on agricultural work and maintaining cattle. While so, on 06.02.2026, the fourth respondent police allegedly entered the house of the petitioner without any prior notice, thereby causing damage to his reputation. According to the petitioner, the fourth respondent police are not allowing him to lead a reformed life and due to their repeated visits, the neighbours are also looking down upon him.



Hence, the petitioner seeks a direction to the fourth respondent police not to unnecessarily enter his house at odd hours.

3. The learned Additional Public Prosecutor appearing for the respondents produced a list showing that 27 cases are pending against the petitioner, out of which three cases have been disposed of, five cases have been referred, 7 cases have not been taken on file and the remaining cases are either under investigation or yet to be taken on file. He further submitted that the petitioner is a history-sheeted rowdy in H.S.No.3 of 2014 and therefore, he was called for an enquiry in the normal course of police duty. He also submitted that in view of the ensuing election, the petitioner was called upon to execute a bond.

4. At this juncture, the learned counsel for the petitioner, on instructions, submitted that the petitioner is now ready to appear before the fourth respondent for enquiry and to execute a bond.

5. Considering the submissions made and on perusal of the materials it is seen that the petitioner is a habitual offender, he is a history sheeted rowdy in H.S.No.3 of 2014. In view of the ensuing the election, the petitioner was called for enquiry in a routine manner to verify the



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whereabouts of the history-sheeted persons in order to maintain law and order. The fourth respondent is at liberty to issue notice to the petitioner, conduct enquiry and proceed in accordance with law.

6. 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 to execute a bond. It is made clear that the fourth respondent shall conduct an enquiry and the petitioner shall not be harassed during the course of enquiry. If any cognizable offence is made out, the third respondent Police shall register a First Information Report and proceed in accordance with law.

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

10.03.2026

Neutral Citation: Yes/No
vkr



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- To*
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 - 2.The Deputy Superintendent of Police,
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Nannilam, Thiruvarur District.
 - 3.The Inspector of Police,
Kudaivasal Police Station,
Thiruvarur District.
 - 4.The Inspector of Police,
Prohibition and Enforcement Wing,
Nannilam, Thiruvarur District.
 - 5.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

vkr

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