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Crl. O.P. No. 35156 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 05-01-2026**

CORAM

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

**Crl. O.P. No. 35156 of 2025**

J.Muthurajan

..Petitioner

Vs

1. The Commissioner of Police,  
Commissionerate Avadi City,  
Type V, Qtr No.5/1, HVF Estate,  
Bhaktavatsala Puram, Avadi,  
Chennai - 600 054.

2. The State Represented by  
the Inspector of Police,  
M-4 Redhills Police Station,  
GNT Road, Red Hills,  
Chennai - 600 052.

..Respondent(s)

**PRAYER** Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita to direct the respondents not to harass the petitioner or his family members under the guise of enquiry in relation to a dispute which is purely civil in nature and already pending before the competent civil court.

For Petitioner : Mr.R.Arunkumar

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



## **ORDER**

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

2. The case of the petitioner is that under the pretext of conducting an enquiry in connection with the existing civil dispute with one Ravi, the respondent Police are unnecessarily harassing him.

3. Learned Government Advocate (Criminal Side), on instructions, submitted that based on the complaint given against the petitioner, the respondent Police is conducting enquiry in C.S.R.Nos.690 and 769 of 2025 and that the petitioner was called only for enquiry and he is not co-operating for the same. He further submitted that the petitioner was not harassed during the enquiry.

4. 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 co-operate in the investigation. It is made clear that the petitioner 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.

**05-01-2026**

Neutral Citation: Yes/No  
MRN

To

1. The Commissioner of Police,  
Commissionerate Avadi City,  
Type V, Qtr No.5/1, HVF Estate,  
Bhaktavatsala Puram, Avadi,  
Chennai - 600 054.
2. The Inspector of Police,  
M-4 Redhills Police Station,  
GNT Road, Red Hills,  
Chennai - 600 052.
3. The Public Prosecutor,  
High Court of Madras.



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

**MRN**

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