



WEB COPY

CRL OP No. 51 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-01-2026

CORAM

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

CRL OP No. 51 of 2026

Prabhakaran

..Petitioner

Vs

1. The State Rep by
The Superintendent of Police,
Perambalur District.
2. The Deputy Superintendent of Police,
Perambalur District.
3. The Inspector of Police,
Perambalur Police Station,
Perambalur District.

..Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the 3rd Respondent Police not to harass the petitioner under the guise of enquiry and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.M.Vijaya Ragavan

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



ORDER

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

2. The case of the petitioner is that earlier, four cases were registered against him for the offence under Lotteries (Regulations) Act, and as on date, no criminal case is pending against him. However, under the pretext of conducting an enquiry for the same offence, the respondent Police are unnecessarily harassing him.

3. When the matter was taken up for hearing today, the learned Government Advocate (Criminal Side), appearing for the respondents, submitted that the petitioner has been regularly involving in lottery offences. Since the respondent police received information that the petitioner is once again involved in the same offence, the respondent Police are conducting an enquiry in C.No.41/SB/X-1/PER/2025 and that the petitioner was called only for enquiry and 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.

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

06-01-2026

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

SRM

To

1. The Superintendent of Police,
Perambalur District.
2. The Deputy Superintendent of Police,
Perambalur District.
3. The Inspector of Police.
Perambalur Police Station,
Perambalur District.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY

CRL OP No. 51 of 2



A.D.JAGADISH CHANDIRA, J.

SRM

CRL OP No. 51 of 2026

06-01-2026