



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.O.P[MD]No.4923 of 2020

Palpandi

... Petitioner

Vs.

1.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai.

2.The Deputy Commissioner of Police (Law and Order),
Madurai City,
Madurai.

3.The Inspector of Police,
Thirunagar Police Station,
Madurai.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondents 2 and 3 not to harass the petitioner by compelling him to execute bond for keeping peace and good behaviour without following due process of law.

For Petitioners : Mr.R.Alagumani

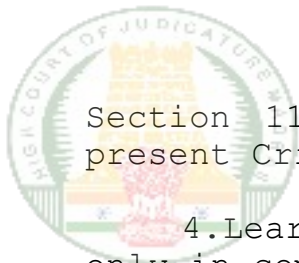
For Respondents : Mrs.S.Bharathi,
Government Advocate [Crl. Side]

O R D E R

This petition is filed for a direction to direct the respondents 2 and 3 not to harass the petitioner by compelling him to execute bond for keeping peace and good behaviour without following due process of law.

2.The learned Counsel appearing for the petitioner would submit that the a case was registered against the petitioner in Crime No.586 of 2015, on the file of the first respondent therein. During the pendency of the said case, the matter was settled. In order to record settlement, the accused including the present petitioner approached this Court in Crl.O.P.[MD]No.531 of 2020. However, this Court by its order dated 10.01.2020, recorded that though the matter has been compromised and quash petition has been filed, offence punishable under Section 307 IPC cannot be quashed on compromise and further issued a direction to the law enforcing agency to complete the investigation and file a final report within a period of three [3] months.

3.Learned Counsel for the petitioner further submits that utilising the earlier complaint filed by the private respondent, the law enforcing agency compels the petitioner to file a bond under



Section 110 Cr.P.C. Hence, the petitioner has come up with the present Criminal Original Petition.

4.Learned Government Advocate [Crl. Side] would submit that only in compliance of the earlier direction of this Court to the law enforcing agency to complete the investigation and file a final report, summon was issued to the petitioner for executing a bond under Section 110 Cr.P.C. in M.C.No.274 of 2018, and the same was closed on 17.04.2018. Hence, there is no apprehension of harassment arising in the present case.

5.Considering the facts and circumstances of the case, this Court is of the view that it is open to the law enforcing agency to issue summons to the petitioner to complete the investigation. If any summons are issued, the petitioner is directed to co-operate with the enquiry for completing the same and filing a final report.

6.Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

MR

To

- 1.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai.
 - 2.The Deputy Commissioner of Police (Law and Order),
Madurai City,
Madurai.
 - 3.The Inspector of Police,
Thirunagar Police Station,
Madurai.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1 CC to M/s.R.ALAGUMANI, Advocate (SR-12603[F] dated 20/03/2020)

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KB(10.06.2020) 2P 6C