



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P (MD)No.11047 of 2020

E.Gabriel Jesudason

... Petitioner

Vs

1.State through
The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Ervadi Police Station,
Tirunelveli District.
Crime No.Not Known

3.S.Selvanayagam

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the second respondent not to harass the petitioner in the guise of enquiry in the case foisted by the above named third respondent in Crime No.Not Known on the file of the Inspector of Police, Ervadi Police Station, Tirunelveli District.

For Petitioners	: Mr.B.N.Raja Mohamed
For R1 & R2	: Mr.V.Neelakandan
	Additional Public Prosecutor

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

2.The case of the petitioner is that there is a financial transaction between him and the third respondent. The third respondent is the Correspondent of the school. The third respondent is said to have issued the cheque in favour of the petitioner and that the same was dishonored on presentation. In order to evade from the consequences therefrom, the third respondent is said to have given a complaint.



3.The learned Additional Public Prosecutor states that petition enquiry is pending.

4. I am of the view that interest of justice will be served by issuing the following directions:-

(I) The second respondent will issue summons in writing, if he wants to enquire the petitioner. There cannot be any oral summon for attending enquiry.

(II) If the second respondent registers any FIR, the petitioner will be given due notice, so that, the petitioner will have breathing time to move the concerned Court for the relief of anticipatory bail.

(III) If any petition is received against the petitioner, petition enquiry must be concluded within a period of two weeks from the date of receipt of a copy of this order.

5.With this direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendent of Police, Tirunelveli District.

2.The Inspector of Police, Ervadi Police Station,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CrI.O.P (MD)No.11047 of 2020
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SSS (CO)

TR(22.10.2020) 2P 4C

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