



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.03.2021

CORAM:

THE HONOURABLE **Mrs.JUSTICE R.HEMALATHA**

Crl.O.P.(MD)No.1673 of 2021

Muruganandam

...Petitioner

/Vs./

1.The Assistant Commissioner of Police,
Central Crime Branch,
Madurai City, Madurai.

2.M.Vijaya Muniyandi

...Respondents

PRAYER: Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent not to harass the petitioner and his tenants under the guise of an enquiry in a Civil dispute in pursuant to the surrender dated 11/01/2021.

For Petitioner :Mr.I.Robert Chandrakumar

For Respondent No.1 :Mr.A.Robinson

Government Advocate (Criminal Side)

For Respondent No.2 :Mr.A.Balaji

ORDER

This petition is filed seeking for a direction to the first respondent not to harass the petitioner and his tenants under the guise of an enquiry.

2.Mr.A.Robinson, learned Government Advocate (Criminal Side), on instructions, would contend that the second respondent / defacto complainant lodged a complaint with the District Legal Services Authority, Madurai, which in turn, forwarded the said complaint to the Assistant Commissioner of Police, Central Crime Branch, Madurai for taking appropriate action. Accordingly, the Assistant Commissioner of Police, Central Crime Branch, Madurai, issued a summons to the present petitioner to appear before him on 19.01.2021 and that the petitioner did not appear for enquiry.

3.The counter of the second respondent shows that on 06.01.2021, the petitioner and his henchmen came over to the second respondent's house and threatened her with dire consequences, if she does not withdraw the case in Crime No.56 of 2017 registered by the City Crime Branch-1, Chennai.

4.The learned counsel for the petitioner at this juncture contended that since the summons issued by the first respondent did



not contain necessary particulars, the petitioner was not aware of the complaint lodged by the second respondent. However, he would contend that the petitioner would co-operate with the police.

5. Recording the submissions of the learned counsel for the petitioner, this Criminal Original Petition is disposed of with a direction to the first respondent to issue a fresh summons to the petitioner and the petitioner, on receipt of the said summons, shall appear before the first respondent police.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Assistant Commissioner of Police, Central Crime Branch, Madurai City, Madurai.
- 2.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-11667[F] dated 17/03/2021)

+1 CC to M/s.A.BALAJI, Advocate (SR-11742[F] dated 17/03/2021)

Order made in
Crl.O.P. (MD)No.1673 of 2021

15.03.2021

KV (13.05.2021) P 5C