



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.9056 of 2021

Francis Raja

... Petitioner

Vs

1.The Superintendent of Police,
Trichy District,
Trichy.

2.The Deputy Superintendent of Police,
Musiri,
Trichy District.

3.The Inspector of Police,
Musiri Police Station,
Musiri.

4.Sathiyaraja

5.Josephine Sagaya Rani

6.Jency

... Respondents

(R5 and R6 were impleaded by this Court

vide order dated 17.11.2021 in Crl.M.P.(MD)No.6292 of 2021 in
CRL.OP(MD).No.9056 of 2021)

PRAYER: Petition filed under Section 482 Code of Criminal Procedure,
to direct the third respondent not to harass the petitioner under
the guise of enquiry.

For Petitioner : Mr.P.Arun Jayatram

For R1 to R3 : Mr.M.Veeranthiran

Government Advocate

For R4 : Mr.R.Maheswaran

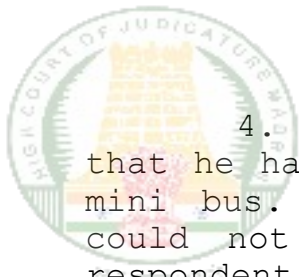
For R5 : Mr.I.Velpradeep

ORDER

Heard the learned counsel on either side.

2. The petitioner alleges that he is being harassed by the
third respondent at the instance of the fourth respondent.

3. When the matter was taken up for hearing, the learned
Government Advocate submitted that based on the complaint of the
fourth respondent, the petitioner has been summoned for enquiry.
But the petitioner did not turn up for enquiry.



4. The learned counsel for the fourth respondent would submit that he had paid certain sums to the petitioner for purchasing the mini bus. While the vehicle was supplied, the fourth respondent could not effect the name transfer. According to the fourth respondent, RC book had been pledged in favour of the impleaded parties who are also the relatives of the petitioner.

5. In these circumstances, I am of the view that it is for the third respondent to look into the complaint of the fourth respondent. To balance the rights of parties, this Criminal Original is disposed of with the following directions:-

"(a) The third respondent will issue written summons to the petitioner for causing his appearance before him for enquiry. There is no question of orally summoning the petitioner to the police station.

(b) The third respondent will conclude the enquiry within a period of two weeks from the date of receipt of a copy of this order.

(c) If at the end of the enquiry, cognizable offence is made out and the third respondent proposes to register any FIR, the petitioner will be given notice of the same so that the petitioner will have breathing time to move the concerned Court for the relief of anticipatory bail."

Sd/-

Assistant Registrar (CRL)

// 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 Superintendent of Police,
Trichy District,
Trichy.

2.The Deputy Superintendent of Police,
Musiri,
Trichy District.



3.The Inspector of Police,
Musiri Police Station,
Musiri.

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

CrI.O.P (MD) No.9056 of 2021
17.11.2021

SRK (CO)
KB (08.12.2021) 3P 5C