



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.9822 of 2021

WEB COPY

1.N.Selvaraj

2.S.Magudeswari

... Petitioners

Vs

1.The Superintendent of Police,
Theni District.

2.The Additional Superintendent of Police,
Theni District.

3.The Deputy Superintendent of Police,
Bodinayakkanur Sub Division,
Theni District.

4.The Inspector of Police,
Bodi Town Police Station,
Theni District.

5.Shanthi

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents 1 to 4 not to harass the petitioners and their family members.

For Petitioners	: Mr.B.Fazil Kirmani
For R1 to R4	: Mr.M.Veeranthiran Government Advocate
For R5	: no appearance

ORDER

Heard the learned counsel appearing for the petitioners and the learned Government Advocate appearing for R1 to R4. Though the fifth respondent has been served and her name is also printed in the cause list, she has not chosen to enter appearance.

2. The learned counsel for the petitioners draws my attention to the order dated 02.02.2021 made in W.P.(MD)No.631 of 2021. The fifth respondent had earlier given a complaint against the petitioners and others on 23.06.2020 and it was enquired into and closed as is evident from the order dated 02.02.2021 made in W.P.(MD)No.631 of 2021. The petitioners allege that once again the



fifth respondent has given a fresh compliant and that the petitioners are being summoned. The fifth respondent was employed in the institution which was run by the society in which the first petitioner was an office bearer.

3. The learned Government Advocate would fairly state that the second petitioner does not appear to be an official in any manner. The official respondents are restrained from summoning the second petitioner for enquiry for any reason. However, as far as the first petitioner is concerned, he is ready to co-operate with the investigation.

4. This Criminal Original Petition is disposed with the following directions:-

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

(b) The fourth 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 fourth respondent proposes to register any FIR, the first petitioner will be given notice of the same so that the first petitioner will have breathing time to move the concerned Court for the relief of anticipatory bail."

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

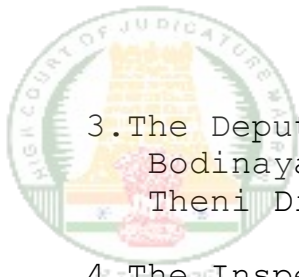
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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant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

To

1.The Superintendent of Police,
Theni District.

2.The Additional Superintendent of Police,
Theni District.



3.The Deputy Superintendent of Police,
Bodinayakkanur Sub Division,
Theni District.

4.The Inspector of Police,
Bodi Town Police Station,
Theni District.

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

Crl.O.P (MD) No.9822 of 2021
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RD(02.12.2021) 3P 6C