



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P(MD)No.17292 of 2021

1.K.Vasimalai
2.Ramar

... Petitioners

Vs.

1.The Superintendent of Police,
Madurai District.

2.The Deputy Superintendent of Police,
District Crime Branch,
Madurai District.

3.The Inspector of Police,
District Crime Branch,
Madurai District.
(Crime No.Not known of 2021)

4.S.Mariammal

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 2nd and 3rd respondents police herein not to harass the petitioners and their family members under the guise of enquiry and not to interfere in civil dispute between the petitioners and 3rd respondent.

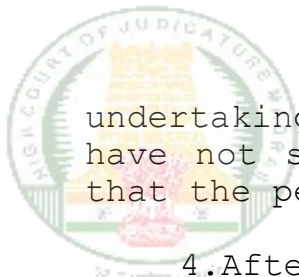
For Petitioners : Mr.J.Jeyakumar
For Respondents : Mr.M.Veeranthiran,
Govt. Advocate (Crl. Side) for R1 to R3.

O R D E R

The petitioners have moved this Court for forbearing the police authorities from harassing them and their family members.

2.The petitioners' counsel would state that the petitioners were earlier summoned and that they attended the enquiry and that the enquiry was closed. Therefore, according to them, they cannot be summoned once again on the same cause of action.

3.Per contra, the learned Government Advocate (Crl. Side) would state that the earlier enquiry was closed based on the petitioners'



undertaking that they would settle the matter and that since they have not settled the matter, a fresh complaint has been given and that the petitioners are being summoned afresh.

4.After considering the rival contentions and in the interest of justice, the following directions are issued:-

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

(b) The third respondent will conclude the enquiry within a period of three 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 petitioners will be given notice of the same so that the petitioners will have breathing time to move the concerned Court for the relief of anticipatory bail."

5.With these directions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (Records)

// 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,
Madurai District.
- 2.The Deputy Superintendent of Police,
District Crime Branch,
Madurai District.



3.The Inspector of Police,
District Crime Branch,
Madurai District.

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

Crl.O.P (MD) No.17292 of 2021
09.11.2021

MGJ/SKN(18.11.2021) 3P 5C