



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.17575 of 2021

Kavitha

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City.

2.The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.

3.Subbaiah

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 2nd respondent police not to interfere the civil dispute on the basis of the petitioner's complaint dated 09.11.2021.

For Petitioner : Mr.R.Udhayakumar

For Respondents : Mr.M.Veeranthiran,
Govt. Advocate (Crl. Side)
for R1 & R2

O R D E R

Considering the nature of relief to be granted, notice to the third respondent is dispensed with.

2.The petitioner alleges harassment at the hands of the second respondent at the instance of the third respondent. The petitioner's counsel would contend that the respondent police are interfering in a civil dispute. The petitioner has also given a complaint in this regard on 09.11.2021.

3.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that no complaint as received from the petitioner. The petitioner has been received. He would also assert



that the petitioner was never summoned to the second respondent police station.

4. Be that as it may, in view of the apprehension expressed by the petitioner, the following directions are issued:

"(a) The second 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 second 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 second 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."

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

Sd/-

Assistant Registrar (AD-II)

// 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 Commissioner of Police,
Madurai City.

2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.



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

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RK/NS (25/11/2021) 3P 4C