



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No. 17709 of 2021

S.Saraswathi

... Petitioner

Vs.

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

2. The Deputy Superintendent of Police,
Karaikudi Circle,
Karaikudi, Sivagangai District.

3. U.Nethaji Rajan

4. The Inspector of Police,
Karaikudi North police station,
Karaikudi.

(R-4 is suo motu impleaded
vide Order dated 06.12.2021)

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct the second respondent to not to harass the petitioner under the guise of enquiry.

For Petitioner	: Mr.S.Poornachandran
For R-1,R-2&R-4	: Mr.M.Veeranthiran, Government Advocate.
For R-3	: Ms.A.Banumathy

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O R D E R

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for respondents 1,2 and 4.

2. The petitioner alleges harassment at the hands of the respondent police.

3. The third respondent is said to have carried out construction work for the petitioner. He is a Civil Engineer. According to the third respondent, he has monetary claim against the petitioner. I do not want to enter into the factual controversy.

4. In these circumstances, to protect the rights of the petitioner, the following directions are issued:-

<https://hcservices.ecourts.gov.in/hcservices/>



(i) The petitioner will be summoned only by way of written summon. There is no question of orally summoning the petitioner.

(ii) Respondents 2 and 4 will conclude the enquiry on merits and in accordance with law within a period of two weeks after the appearance of the petitioner.

(iii) If the matter is purely civil in nature, respondents 2 and 4 will close the complaint.

(iv) If cognizable offence is made out and if respondents 2 and 4 propose to register any FIR, the petitioner will be given due notice. So that the petitioner will have breathing time to move the concerned Court for the relief of anticipatory bail.

5.The criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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,
Sivagangai, Sivagangai District.
2. The Deputy Superintendent of Police,
Karaikudi Circle, Karaikudi, Sivagangai District.
3. The Inspector of Police,
Karaikudi North police station, Karaikudi.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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