



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.11.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.17739 of 2021

M.Saravanan

... Petitioner

Vs.

1.The Director General of Police,
O/o. Director General of Police,
Dr.Radhakrishna Salai,
Mylapore,
Chennai - 600 004.

2.The Commissioner of Police,
Madurai City,
Alagarkovil Road,
Madurai - 625 002.

3.The Deputy Commissioner of Police,
Madurai City,
Alagarkovil Road,
Madurai - 625 002.

4.The Assistant Commissioner of Police (L & O),
Town Range,
Madurai City.

5.S.Jeyasudha

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 4th respondent not to harass the petitioner in the guise of enquiry and pass an order to 1 to 3 respondents to take action against the 4th respondent.

For Petitioner : Mr.S.Kulanthisamy
For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side) for R1 to R4.
Mr.Niranjan S.Kumar for R5.

O R D E R

The petitioner and the fifth respondent are husband and wife. The case of the petitioner is that the fifth respondent is having illicit intimacy with one Vignesh. According to the petitioner, he



had purchased two valuable properties in the name of his wife and the fourth respondent at the instance of the fifth respondent is compelling the petitioner to part with the same. According to the petitioner's counsel, the issue is civil in nature.

2. Since it is a matrimonial dispute, the fourth respondent should keep away. The learned counsel for the fifth respondent submitted that he wants to file counter in this Case. Without going into the merits of the matter, the criminal original petition is disposed of on the following directions:-

"(a) The fourth 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 fourth 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 fourth 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 (CO)

// 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 Director General of Police,
O/o. Director General of Police,
Dr.Radhakrishna Salai,
Mylapore, Chennai - 600 004.



2.The Commissioner of Police,
Madurai City,
Alagarkovil Road,
Madurai - 625 002.

3.The Deputy Commissioner of Police,
Madurai City,
Alagarkovil Road,
Madurai - 625 002.

4.The Assistant Commissioner of Police (L & O),
Town Range, Madurai City.

+1 CC to M/s.NIRANJAN S.KUMAR, Advocate (SR-35003[F] dated
18/11/2021)

CrI.O.P (MD) No.17739 of 2021
16.11.2021

RS (30.11.2021) 3P 6C