



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P (MD)No.18030 of 2021

and

Crl.M.P. (MD)No.9849 of 2021

WEB COPY

S.Gogulakrishnan

... Petitioner

Vs

1.The State rep. by
The Superintendent of Police,
Thanjavur District,
Thanjavur.

2.The Inspector of Police,
Pattukottai Town Police Station,
Pattukottai,
Thanjavur District.

3.Paranthaman

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the first respondent to instruct the second respondent not to interfere in the civil dispute between the petitioner and the third respondent under the guise of enquiry on the basis of the petitioner's representation dated 11.11.2021.

For Petitioner : Mr.R.Shankar Ganesh
For R1 & R2 : Mr.M.Veeranthiran
Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for R1 & R2.

2. The petitioner alleges harassment at the hands of the second respondent on the basis of the complaint given by the third respondent. To forbear the second respondent from doing so, this Criminal Original Petition has been filed.

3. When the matter was taken up for hearing, the learned Government Advocate (Crl.) submitted that the complaint given by the third respondent is still pending enquiry.

4. In these circumstances, in the interest of justice, the following directions are issued:-
<https://hcservices.courts.gov.in/hcservices/>



"(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 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 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.

(d) If the case is civil in nature, the complaint has to be closed."

5. With these directions, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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,
Thanjavur District,
Thanjavur.

2.The Inspector of Police,
Pattukottai Town Police Station,
Pattukottai,

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



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

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RK(04/12/2021) 3P 4C