



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.18087 of 2021

Thayubkhan

... Petitioner

Vs.

1.The Inspector of Police,
S.S.Colony Police Station,
Madurai District.

2.S.S.Vigneswarn

3.T.Shanmuganathan,
Proprietor,
M/s.Mother India land Promoters,
12G, KMA Complex,
By-Pass Road, Ramnagar,
Madurai - 625 010.

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 1st respondent not to harass the petitioner on the guise of the complaint given by the 2nd respondent.

For Petitioner : Mr.P.M.Vishnuvarthanan
For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side) for R1.

O R D E R

The petitioner alleges harassment at the hands of the respondent police at the instance of the private respondents.

2.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that a complaint has been received against the petitioner. However, FIR is yet to be registered and that enquiry is pending as on date.

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

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



(ii) The first respondent 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 civil in nature, the first respondent will close the complaint.

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

4.The criminal original petition is disposed of accordingly.

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:

The Inspector of Police,
S.S.Colony Police Station,
Madurai District.

+1 CC to M/s.PM. VISHNUVARTHANAN, Advocate (SR-35275[F] dated 19/11/2021)

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SS (CO)
TR(30.11.2021) 2P 3C