



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P (MD)No.18402 of 2021

Samathana Gandhi

... Petitioner

Vs

State rep. by

1.The Commissioner of Police,
O/o. Commissioner of Police,
Tirunelveli City.

2.The Inspector of Police,
Pettai Police Station,
Tirunelveli City.

3.Dharmaraj

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the second respondent and his officials not to harass the petitioner unnecessarily against law under the guise of enquiry.

For Petitioner : Mr.S.Vanchinathan

For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate

ORDER

The petitioner alleges harassment at the hands of the respondent police based on the complaint of the third respondent.

2. The learned Government Advocate (Crl.) states that the enquiry into the third respondent's complaint is still pending.

3. In these circumstances, this Criminal Original Petition is disposed of with the following directions:-

"(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. The petitioner shall appear before the second respondent on 29.11.2021 and 30.11.2021 at 11.am.,

(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 purely civil in nature, the complaint has to be closed."

Sd/-

Assistant Registrar (CS I)

// 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,
O/o. Commissioner of Police,
Tirunelveli City.
- 2.The Inspector of Police,
Pettai Police Station,
Tirunelveli City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P (MD)No.18402 of 2021
24.11.2021

MGJ(30.11.2021) 2P 4C