



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

CrI.O.P (MD)No.18410 of 2021

WEB COPY

Arunkumar

... Petitioner

Vs

1.State Rep. by
The Commissioner of Police,
Madurai City,
Madurai District.

2.The Inspector of Police,
All Women Police Station,
Thirupparangundram,
Madurai City,
Madurai District.

3.Jeyasri

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the first respondent to instruct the second respondent not to harass the petitioner in the guise of enquiry on the basis of the false complaint given by the third respondent herein based on the petitioner's representation dated 26.10.2021.

For Petitioner : Mr.S.Vikram
For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate
For R3 : Mr.C.M.Mari Chelliah Prabhu

ORDER

Heard the learned counsel on either side.

2. The petitioner alleges harassment at the hands of the respondent police based on the complaint of the third respondent. The petitioner and the third respondent are husband and wife. H.M.O.P. filed by the petitioner for divorce is also 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.

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

(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."

Sd/-

Assistant Registrar (CS-II)

// 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,
Madurai City,
Madurai District.

2.The Inspector of Police,
All Women Police Station,
Thirupparangundram,
Madurai City,
Madurai District.

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

+1 CC to M/s.C.M. MARICHELLIAH PRABHU, Advocate (SR-35702[F] dated 24/11/2021)

CrI.O.P(MD)No.18410 of 2021
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RD(03.12.2021) 2P 5C