



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.18437 of 2021

WEB COPY

1.Murugan

2.Muppidathi

... Petitioners/defacto complainant

Vs

1.The Deputy Superintendent of Police,
Thalaiyuthu,
Tirunelveli District.

2.The Inspector of Police,
Seethaparpanallur Police Station,
Tirunelveli District.

3.Indhu

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents 1 and 2 not to harass the petitioner in the guise of enquiry on the complaint of the third respondent with regard to an encroachment of the agricultural land of an extent of 1.63 acres comprised in Survey Nos.156/2, 156/6 and 156/9 at Karuvanallur Village, Tirunelveli Taluk.

For Petitioner : Mr.V.Angusamy

For R1 & R2 : Mr.M.Sakthi Kumar

Government Advocate (CRL Side)

ORDER

The petitioner alleges harassment at the hands of the respondent police. To forbear the second respondent from doing so, this Criminal Original Petition has been filed.

2. When the matter was taken up for hearing, the learned Government Advocate submitted that based on the complaint of the third respondent, enquiry is 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 petitioners for causing their appearance before him



for enquiry. There is no question of orally summoning the petitioners 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 petitioners will be given notice of the same so that the petitioners 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 (W)

// 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 Deputy Superintendent of Police,
Thalaiyuthu,
Tirunelveli District.

2.The Inspector of Police,
Seethaparpanallur Police Station,
Tirunelveli District.

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

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MGJ(07.12.2021) 2P 4C