



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.18993 of 2021

WEB COPY

M.Periya Perumal

... Petitioner

Vs

1.The Superintendent of Police,
Anti-land Grabbing Special Cell,
Madurai Division,
Madurai.

2.The Inspector of Police,
Anti Land Grabbing Special Cell,
Madurai City.

3.Marimuthu

4.J.Shanthi

5.K.Renu

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the second respondent not to harass the petitioner on the guise of enquiry in pursuance of the complaint lodged by the fifth respondent.

For Petitioner : Mr.V.Raghavachari
For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl.)

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 respondent police. To forbear them 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 third respondent has given a complaint against the petitioner and that it is pending enquiry before the second respondent.

4. The petitioner undertakes to appear before the second respondent on 07.12.2021 at 11.00 a.m., and co-operate with the enquiry.



5. In these circumstances, in the interest of justice, the following directions are issued:-

"(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."

6. With these directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AE)

// 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,
Anti-land Grabbing Special Cell,
Madurai Division,
Madurai.

2.The Inspector of Police,
Anti Land Grabbing Special Cell,
Madurai City.



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

+1 CC to M/s.V.RAGHAVACHARI, Advocate (SR-37247[F] dated
03/12/2021)

CrI.O.P (MD)No.18993 of 2021
02.12.2021

RK(14/12/2021) 3P 5C