



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.19249 of 2021

Gurupandian

... Petitioner

Vs.

1.The Superintendant of Police,
Office of the Superintendant of Police,
Sivagangai District.

2.The Inspector of Police,
District Crime Branch (DCB),
Sivangangai District.

3.Anbu

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 2nd respondent not to harass the petitioner under the guise of enquiry in connection with the complaint given by the 3rd respondent.

For Petitioner : Mr.D.S.Haroon Rasheed
For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side) for R1 & R2.
Mr.Rajamanickam for R3.

O R D E R

The petitioner alleges harassment at the hands of the respondent police. To forbear them from doing so, this criminal original petition has been filed.

2.Heard the learned counsel for the petitioner as well as the learned counsel for the third respondent.

3.The learned Government Advocate (Crl. Side) submitted that based on the complaint of the third respondent, the petitioner was summoned and he also appeared on 27.11.2021. Though the petitioner undertook appear again on 02.12.2021 along with documents, he failed to appear. Confronted with this position, the petitioner's counsel submitted that the petitioner will appear before the second respondent on 09.12.2021 at 11.00 am.



4. In these circumstances, the second respondent is directed to follow the following directions:

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

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

(iv) If cognizable offence is made out and if the second 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.

5. The criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ias

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,
Office of the Superintendent of Police,
Sivagangai District.
2. The Inspector of Police,
District Crime Branch (DCB),
Sivangangai District.



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

Crl.O.P (MD) No.19249 of 2021
06.12.2021

WEB COPY

SK (CO)
TR (13.12.2021) 3P 4C