



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No. 19177 of 2021

Riyasudeen

... Petitioner

Vs.

1.The Commissioner of Police,
Trichy City, Trichy.

2.The Inspector of Police,
Thillai Nagar Police Station,
Trichy.

3.Mohammed Shabeer

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondent police 1 and 2 and his officials that not to harass the petitioner and his family members in the guise of enquiry based on the complaint of the 3rd respondent.

For Petitioner : Mr.P.Suresh Kumar

For Respondents : Mr.M.Sakthi Kumar

Government Advocate(Crl Side)for R1 & R2

ORDER

The petitioner alleges harassment at the hands of the respondent police. To forebear them in doing so, this Criminal Original Petition has been filed.

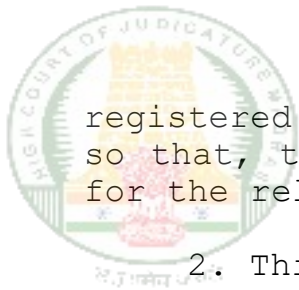
2. When the matter was taken up for hearing, the learned Government Advocate (Criminal Side) submitted that the third respondent has given a complaint against the petitioner and then, it is pending enquiry. In these circumstances, in the interest of justice, the following directions are issued:-

(a) If the respondent police propose to enquire the petitioners, they will be summoned only in writing. There is no question of orally summoning the petitioners.

(b) After the petitioners appear before the jurisdictional police, enquiry will be conducted and concluded within a period of two weeks thereafter.

(c) If the jurisdictional police come to the conclusion that the issue is purely civil in nature, the complaint shall be closed.

(d) If the police come to the conclusion that cognizable offence is made out against the petitioners, an FIR can be



registered but the petitioners will be given due notice of the same, so that, they will have breathing time to move the concerned Court for the relief of anticipatory bail.

2. This Criminal Original Petition is disposed of accordingly.

WEB COPY

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mga

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,
Trichy City,
Trichy.
- 2.The Inspector of Police,
Thillai Nagar Police Station,
Trichy.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.19177 of 2021

08.12.2021

NSN(CO)
GC(17.12.2021) 2P 4C