



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No. 19382 of 2021

S.Muthu Murugan

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District Police,
Madurai District.

2.The Inspector of Police,
S.S.Colony Police Station,
Madurai District.
(R2 suo motu substituted as per order
dated 08.12.2021 in Crl.O.P.(MD)No.19382 of 2021)

3.Palani

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the second respondent not to harass the petitioner and his family members.

For Petitioner : Mr.P.Subbiah
For Respondents : Mr.M.Sakthi Kumar
Government Advocate
(Crl Side)for R.1 & R.2

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for R.1 & R.2.

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

3. When the matter was taken up for hearing, the learned Government Advocate (Criminal Side) submitted that the enquiry into the complaint of the third respondent is still pending.

4. 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 purely civil in nature, the complaint has to be closed."

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

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

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 Superintendent of Police,
Madurai District Police, Madurai District.

2.The Inspector of Police,
S.S.Colony Police Station, Madurai District.

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

+1 CC to M/s.P.SUBBIAH, Advocate (SR-38391[F] dated 13/12/2021)

Crl.O.P. (MD) No.19382 of 2021
10.12.2021

TP (CO)

KB(04.01.2022) 2P 5C

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