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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.19362 of 2021

B.Kalarani ... Petitioner

Vs

1.The Commissioner of Police,
Office of the Commissioner of Police,
Alagarkoil Road,
Madurai City.

2.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Thiruparankundram, Madurai-625005.

3.The Inspector of Police,
Thirunagar Police Station,
Madurai City.

4.Sathya ... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents 2 and 3 not to interfere in the pure civil dispute and also direct the respondents not to harass the petitioner in the name of enquiry.

For Petitioner : Mr.B.Sukumar
For R1 to R3 : Mr.M.Sakthi Kumar
Government Advocate (Crl.)

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for R1 to R3.

2. The petitioner alleges harassment at the hands of the respondent police based on the complaint of the third respondent. To forbear the respondent police 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 enquiry into the complaint of the fourth respondent is still pending.

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

"(a) The third 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 third 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 third 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(AS)

// True Copy //

/ /2021

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 Commissioner of Police,
Office of the Commissioner of Police,
Alagarkoil Road,
Madurai City.

2.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Thiruparankundram, Madurai-625005.

3.The Inspector of Police,
Thirunagar Police Station,
Madurai City.

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

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