



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P (MD)No.19465 of 2021

WEB COPY

1.V.Murugesan

2.M.Manoj

... Petitioners

Vs

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

2.The State rep. by
The Inspector of Police,
Karuppayurani Police Station,
Madurai District.

3.K.Bose.

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the first respondent not to harass the petitioner at the instigation of the third respondent.

For Petitioners	: Mr.R.Surian Narayanan
For R1 & R2	: Mr.M.Sakthi Kumar Government Advocate (Crl.)
For R3	: Mr.N.Dilipkumar

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for R1 & R2 and the learned counsel for the third respondent.

2. The petitioner alleges harassment at the hands of the respondent police. It is seen that the third respondent had given a complaint against the petitioners and the same was also duly registered. The petitioners had obtained anticipatory bail in the said case. Now, the son of the third respondent appears to have given a second complaint against the petitioners.

3. When the matter was taken up for hearing, the learned Government Advocate (Crl.) 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 respondent police will issue written summons to the petitioners for causing their appearance



before him for enquiry. There is no question of orally summoning the petitioners to the police station.

(b) The respondent police 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 respondent police proposes to register any FIR, the petitioners will be given notice of the same so that the petitioners 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 (CS-II)

// 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 Deputy Superintendent of Police,
Oomachikulam, Madurai District.

2.The Inspector of Police,
Karuppayurani Police Station,
Madurai District.

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

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-38278[F] dated 10/12/2021)

CrI.O.P(MD)No.19465 of 2021
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RD(21.12.2021) 2P 5C