



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P (MD)No.20054 of 2021

Isaac Robin

... Petitioner

Vs

1.The Superintendent of Police,
Kanyakumari District.

2.The Sub Inspector of Police,
Vadaseri Police Station,
Nagercoil,
Kanyakumari District.

3.T.Jeyamohan

4.Mabel Rani Bhai

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondent police not to harass the petitioner and interfere in the civil dispute between the petitioner and the fourth respondent in the guise of enquiry.

For Petitioner : Mr.RM.Arun Swaminathan

For R1 & R2 : Mr.M.Sakthi Kumar

Government Advocate (CrI.side)

ORDER

The petitioner and the fourth respondent are said to be having a civil dispute. The petitioner alleges that at the instance of the fourth respondent, the second respondent is harassing him. The electric fuse of the petitioner's premises is said to have been taken away by the second respondent. In order to forebear the respondent police from harassing him, this Criminal Original Petition has been filed.

2. The learned Government Advocate (CrI. side) states that the enquiry is still pending.

3. In these circumstances, this Criminal Original Petition is disposed of with the following directions:-



"(a) The respondent police 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 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 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."

Sd/-

Assistant Registrar(Records)

// 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,
Kanyakumari District.

2.The Sub Inspector of Police,
Vadaseri Police Station,
Nagercoil,
Kanyakumari District.

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

CrI.O.P (MD) No.20054 of 2021
16.12.2021

nsn(CO)

TR(05.01.2022) 2P 4C

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