



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.20014 of 2021

WEB COPY

Eswari

... Petitioner

Vs.

1.The Deputy Commissioner of Police,
Madurai City,
Madurai

2.The Assitant Commissioner of Police,
Land Grabbing Wing,
Madurai City,
Maduri.

3.Vijayalakshmi

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 2nd respondent not to harass the petitioner under the guise of enquiry without due process of law.

For Petitioner : Mr.S.Mahendrapathy

For Respondents : Mr.M.Sakthi Kumar,

Govt. Advocate (Crl. Side) for R1 & R2.

O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents 1 and 2. Considering the nature of relief to be granted, issuance notice to the third respondent is dispensed with.

2.The petitioner alleges harassment at the hands of the respondent police. To forbear them from doing so, this criminal original petition has been filed.

3.The learned counsel for the petitioner states that the respondent police are compelling the petitioner to execute a document in favour of the third respondent herein. I make it clear that the petitioner will not be pressurized into execute any such deed. It is a matter of a choice left to the petitioner.

4.The learned Government Advocate (Crl. Side) submitted that the third respondent has given a complaint against the petitioner and that is presently pending enquiry.



5.In these circumstances, the following directions are issued:-

(i) The petitioner will be summoned only by way of written summon. There is no question of orally summoning the petitioner.

(ii) The second respondent will conclude the enquiry on merits and in accordance with law within a period of two weeks after the appearance of the petitioner.

(iii) If the matter is purely civil in nature, the second respondent will close the complaint.

(iv) If cognizable offence is made out and if the second respondent proposes to register any FIR, the petitioner will be given due notice. So that the petitioner will have breathing to move the concerned Court for the relief of anticipatory bail.

6.The criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar (T&P)

// 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 Deputy Commissioner of Police,
Madurai City,
Madurai

2.The Assitant Commissioner of Police,
Land Grabbing Wing,
Madurai City,
Madurai

<https://hcservices.ecourts.gov.in/hcservices/>



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

+1 CC to M/s.S.MAHENDRAPATHY, Advocate (SR-39133[F] dated
16/12/2021)

**CrI.O.P (MD)No.20014 of 2021
15.12.2021**

NSN (CO)
SB(11.01.2022) 3P 5C