



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.20339 of 2021

WEB COPY

1.Siva

2.Kalaiselvi

... Petitioners

Vs

1.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
District Crime Branch,
Thoothukudi,
Thoothukudi District.

3.Rajkumar

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the second respondent herein not to harass the petitioners on the guise of enquiry except under due process of law.

For Petitioner : Mr.V.Malaiyendran

For R1 & R2 : Mr.Sakthi Kumar
Government Advocate (Crl.side)

ORDER

The petitioners allege harassment at the hands of the respondent police based on the complaint of the third respondent.

2. The learned Government Advocate (Crl. side) states that the enquiry into the third respondent's complaint 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 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."

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

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 Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.
- 2.The Inspector of Police,
District Crime Branch,
Thoothukudi,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.V.MALAIYENDRAN, Advocate (SR-39788[F] dated 21/12/2021)

Crl.O.P (MD)No.20339 of 2021
20.12.2021

RK(07/01/2021) 2P 5C