



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :23.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.20444 of 2021

Ramesh

... Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Anti Land Grabbing Special Cell,
District Superintendent Office,
Ramanathapuram.

3.Selvakumar

...Respondents

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

For Petitioner : Mr.A.Uthayakumar

For Respondents : Mr.T.Senthil Kumar

Additional Public Prosecutor for R.1 & R.2
Mr.R.Babu Jegennath for R.3

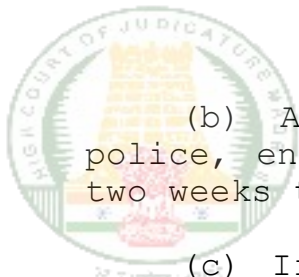
ORDER

The petitioner alleges harassment at the hands of the respondent police. To forebear them in doing so, this Criminal Original Petition has been filed.

2. When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that the third respondent has given a complaint against the petitioner and that, it is pending enquiry.

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

(a) If the respondent police propose to enquire the petitioner, they will be summoned only in writing. There is no question of orally summoning the petitioner;



(b) After the petitioner appears before the jurisdictional police, enquiry will be conducted and concluded within a period of two weeks thereafter;

(c) If the jurisdictional police come to the conclusion that the issue is purely civil in nature, the complaint shall be closed; and

(d) If the police come to the conclusion that cognizable offence is made out against the petitioner, an FIR can be registered but the petitioner will be given due notice of the same so that they will have breathing time to move the concerned Court for the relief of anticipatory bail.

4. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (CrI.Side)

// 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,
Ramanathapuram District,
Ramanathapuram.
- 2.The Inspector of Police,
Anti Land Grabbing Special Cell,
District Superintendent Office,
Ramanathapuram.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.20444 of 2021

23.12.2021

PK(CO)

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