



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

CrI.O.P (MD) No.169 of 2022

B.Ramesh Kumar

... Petitioner

Vs

The State rep. by its

1.The Commissioner of Police,
Office of the City Police Commissioner,
Trichy City.

2.The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
Trichy City.

3.The Inspector of Police,
City Crime Branch,
Trichy City.

4.Senthil Kumar

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the third respondent not to harass the petitioner on the basis of the false complaints but only by following due process of law.

For Petitioner : Mr.B.Jameel Arasu
For R1 to R3 : Mr.M.Sakthi Kumar
Government Advocate

ORDER

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

2. When the matter was taken up for hearing, the learned Government Advocate(crl.) submitted that enquiry is 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 (As)

// 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 Commissioner of Police,
Office of the City Police Commissioner,
Trichy City.
- 2.The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
Trichy City.
- 3.The Inspector of Police,
City Crime Branch,
Trichy City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P (MD)No.169 of 2022
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MGJ(21.01.2022) 2P 5C