



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.749 of 2022

S.Kannan

... Petitioner

Vs.

1. The Assistant Commissioner of Police,
Anna Nagar (Law & Order),
Madurai.

2. The Inspector of Police,
Anna Nagar police station,
Madurai.

3. S.Rameshkumar

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of 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.S.Mahendrapathy

For R-1 & R-2 : Mr.M.Veeranthiran,
Government Advocate(Crl. Side).

O R D E R

The petitioner alleges harassment at the hands of the respondent police at the instance of the private respondent.

2.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that a complaint has been received against the petitioner. However, FIR is yet to be registered and that enquiry is pending as on date.

3.In these circumstances, to protect the rights of the petitioner, 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 time to move the concerned Court for the relief of anticipatory bail.

4.The criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PMU

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 Assistant Commissioner of Police,
Anna Nagar (Law & Order),
Madurai.
2. The Inspector of Police,
Anna Nagar police station,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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RK(07/02/2022) 2P 4C