



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1001 of 2022

1.Basheer Ahamed
2.Noorjahan

... Petitioners

Vs.

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

2.The Inspector of Police,
District Crime Branch Police Station,
Sivagangai,
Sivagangai District.

3.Rameez

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 2nd respondent that not to harass the petitioners and their family members in the guise of enquiry based on the complaint of the 3rd respondent and consequently to direct the 2nd respondent that not to interfere into the money dispute which is subject matter of the case in C.C.No.232 of 2020 on the file of the learned Judicial Magistrate No.1, Sivagangai.

For Petitioners : Mr.M.S.Jeyakarthik

For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side)
for R1 & R2.

ORDER

The petitioners allege 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. Side) submitted that the third respondent has given a complaint against the petitioners and that is presently pending enquiry.



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

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

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

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

(iv) If cognizable offence is made out and if the respondent police proposes to register any FIR, the petitioners will be given due notice. So that the petitioners 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 (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ias

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 Judicial Magistrate No.1, Sivagangai.

2.The Superintendent of Police,
Sivagangai District, Sivagangai.

3.The Inspector of Police,
District Crime Branch Police Station,
Sivagangai, Sivagangai District.

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

+1 CC to M/s.M.S.JEYA KARTHIK, Advocate (SR-1994[F] dated 21/01/2022)

Crl.O.P(MD)No.1001 of 2022
21.01.2022