



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.962 of 2022

M.Maheshwari

... Petitioner

Vs.

1.The Inspector of Police,
V2 Avaniyapuram Police Station,
Madurai,
Madurai District.

2.Panchavarnam

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 1st respondent not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.S.Ramasamy
For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side) for R1.

O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the first respondent.

2.The petitioner alleges harassment at the hands of the first respondent. To forebear the first respondent from doing so, this criminal original petition has been filed.

3.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that the complaint given by the second respondent was enquired into and closed on 27.09.2020 but it was on certain terms. Since the petitioner did not comply with the said terms, the complaint appears to have been revived.

4.In these circumstances, 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 to move the concerned Court for the relief of anticipatory bail.

5.The criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar (Crl.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 Inspector of Police,
V2 Avaniyapuram Police Station,
Madurai,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD) No.962 of 2022
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SB (CO)
GC (10.02.2022) 2P 3C