



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.964 of 2022

Shanmuganathan

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.

3.Designan

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 2nd respondent not to harass the petitioner without following the due process of law.

For Petitioner : Mr.K.Sathish Kumar

For Respondents : Mr.M.Sakthi Kumar,

Govt. Advocate (Crl. Side) for R1 & R2.

O R D E R

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

3.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 respondent police 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 respondent police will close the complaint.

(iv) If cognizable offence is made out and if the respondent police 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 (A.D.I)

// 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,
Madurai City, Madurai.

2.The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.

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

+1 CC to M/s.K.SATHISH KUMAR, Advocate (SR-2520[F] dated 25/01/2022)

Cr1.O.P(MD)No.964 of 2022
21.01.2022

RD(02.02.2022) 2P 5C