



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.01.2022

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1266 of 2022

1.Vijayarahavan
2.Ashok

... Petitioners

Vs.

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

2.The Additional Superintendent of Police,
Valliyoor,
Tirunelveli District.

3.The Inspector of Police,
Panangudi Police Station,
Tirunelveli District.

4.Pradap Karthick

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 2nd and 3rd respondent police authorities not to harass the petitioners under the guise of enquiring into the complaint lodged by the 4th respondent.

For Petitioners : Mr.N.Syed Ali

For Respondents : Mr.B.Thanga Aravindh,

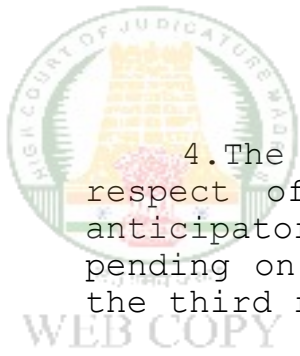
Govt. Advocate (Crl. Side) for R1 to R3.

O R D E R

Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondents 1 to 3.

2.The petitioners allege harassment at the hands of the respondent police. To forbear them 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 Crime No.11 of 2021 has been registered against the petitioners and in that connection, they are being summoned for enquiry.



4.The learned counsel for the petitioners submitted that in respect of the said FIR, the petitioners have already obtained anticipatory bail. He would further point out that the said FIR is pending on the file of District Crime Branch, Tirunelveli but then, the third respondent is calling the petitioners for enquiry.

5.The learned Government Advocate (Crl. Side) clarified that on the file of the third respondent no complaint or FIR is pending against the petitioners. If that be so, the third respondent has no right or jurisdiction to summon the petitioners for enquiry. It is further directed that if at all the second respondent or the District Crime Branch, Tirunelveli want to enquire the petitioners only written summons shall be sent and the question of orally summoning them does not arise. This is so because the petitioners have already obtained anticipatory bail in the pending FIR.

6.With these directions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (A.D.II)

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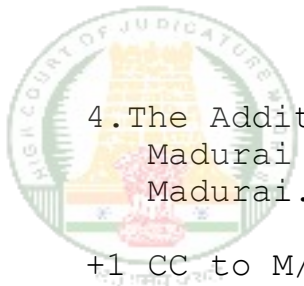
Sub Assistant Registrar(CS)

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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 Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Additional Superintendent of Police,
Valliyoore,
Tirunelveli District.
- 3.The Inspector of Police,
Panangudi Police Station,
Tirunelveli District.



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

+1 CC to M/s.N.SYED ALI, Advocate (SR-2505[F] dated 25/01/2022)

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CrI.O.P (MD)No.1266 of 2022
25.01.2022

RD(07.02.2022) 3P 6C