



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1935 of 2022

Ganesan

... Petitioner

Vs.

1.The Superintendent of Police,
Theni District.

2.The Inspector of Police,
Aundipatti Police Station,
Theni District.

3.G.Kamatchi

4.K.Mariyammal

5.K.Pandi

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to instruct the second respondent not to harass in the guise of enquiry in the matter of civil in nature without authority of law.

For Petitioner : M/s.M.Viji

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 complaint received against the petitioner was enquired into and closed on 30.11.2021. But it was only on certain terms and conditions. Therefore, there is a possibility of revival of the said complaint. To protect the petitioner's interest, 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.

3.The criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar (CrI.Side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

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,
Theni District.

2.The Inspector of Police,
Aundipatti Police Station,
Theni District.

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

CrI.O.P (MD)No.1935 of 2022
02.02.2022

IMS (CO)
GC (11.02.2022) 2P 4C