



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.2063 of 2022

T.V.Aanand

... Petitioner

Vs.

- 1.The Commissioner of Police,
Tiruchirappalli City,
Pudukottai Main Road,
Opposite to Central Prison,
Subramaiyapuram,
Tiruchirappalli-620023.
- 2.The Deputy Commissioner of Police,
Tiruchirappalli City,
Pudukottai Main Road,
Opposite to Central Prison,
Subramaiyapuram,
Tiruchirappalli-620023.
- 3.The Assistant Commissioner(L & O),
15C, McDonalds Road,
Melapudur,
Cantonment,
Tiruchirappalli-620001.

4.D.Ramesh

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondents 1 to 3 not to harass the petitioner under the guise of investigation on the basis of the complaint dated 12.10.2021 lodged by the fourth respondent.

For Petitioner	:	Mr.Shangar Murali
For Respondents	:	Mr.M.Sakthi Kumar
		Government Advocate (Crl. Side)
		for R.1 to R.3

ORDER

The petitioner alleges harassment at the hands of the respondent police. To forebear them in doing so, this Criminal Original Petition has been filed.



2. When the matter was taken up for hearing, the learned Government Advocate (Criminal Side) submitted that the fourth respondent has given a complaint against the petitioner and that, it is pending enquiry.

3. In these circumstances, in the interest of justice, the following directions are issued:-

(a) If the respondent police propose to enquire the petitioner, they will be summoned only in writing. There is no question of orally summoning the petitioner;

(b) After the petitioner appears before the jurisdictional police, enquiry will be conducted and concluded within a period of two weeks thereafter;

(c) If the jurisdictional police come to the conclusion that the issue is purely civil in nature, the complaint shall be closed; and

(d) If the police come to the conclusion that cognizable offence is made out against the petitioner, an FIR can be registered but the petitioner will be given due notice of the same so that they will have breathing time to move the concerned Court for the relief of anticipatory bail.

4. This Criminal Original Petition is disposed of, accordingly.

Sd/-

Assistant Registrar (CS-II)

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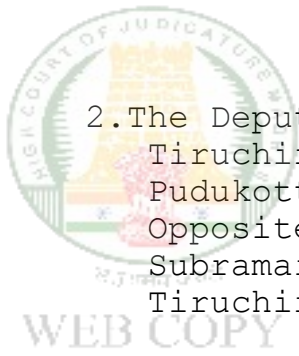
Sub Assistant Registrar(CS)

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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 Commissioner of Police,
Tiruchirappalli City,
Pudukottai Main Road,
Opposite to Central Prison,
Subramaiyapuram,
Tiruchirappalli-620023.



2.The Deputy Commissioner of Police,
Tiruchirappalli City,
Pudukottai Main Road,
Opposite to Central Prison,
Subramaiyapuram,
Tiruchirappalli-620023.

3.The Assistant Commissioner(L & O),
15C, McDonalds Road,
Melapudur,
Cantonment,
Tiruchirappalli-620001.

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

+1 CC to M/s.K.S.SANKAR MURALI, Advocate (SR-4415[F] dated
07/02/2022)

CrI.O.P(MD)No.2063 of 2022
04.02.2022

RD(18.02.2022) 3P 6C