



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2022

**CORAM**

WEB COPY

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**Crl.O.P.(MD)No.5701 of 2021**

Lenin

...Petitioner

Vs.

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

2.The Deputy Superintendent of Police,  
District Crime Branch,  
Palaymakottai,  
Tirunelveli District,  
Tirunelveli.

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

4.Sridhar  
Director of S.J.Engineers  
Renewable Energy Private Limited,  
Plot No.31, Pothys Nagar,  
Vannarpettai,  
Tirunelveli.

...Respondents

(R4 is impled as per Court order  
dated 03.09.2021 in Crl.M.P(MD) .  
No.6593 of 2021 in Crl.O.P(MD) .  
No.5701 of 2021)

**Prayer:** Criminal Original Petition is filed under Section 482 Cr.P.C., to issue a direction, directing the respondents No.2 and 3 not to harass the petitioner.

|                |   |                                                    |
|----------------|---|----------------------------------------------------|
| For Petitioner | : | Mr.S.M.Mohan Gandhi                                |
| For R1 to R3   | : | Mr.M.Sakthi Kumar<br>Government Advocate (Cr.Side) |
| For R4         | : | Mr.J.Jeyakumar                                     |



**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 Additional Government Pleader submit that a complaint has been received against the petitioner from the impleaded respondent and enquiry is pending. The following four 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.

3. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS-III)

// 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 Superintendent of Police,  
Tirunelveli District,  
Tirunelveli.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Deputy Superintendent of Police,  
District Crime Branch,  
Palaymakottai,  
Tirunelveli District,  
Tirunelveli.

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

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

+1 CC to M/s.J.JEYAKUMARAN, Advocate ( SR-3278[F] dated 01/02/2022 )  
**Crl.O.P. (MD)No.5701 of 2021**  
**31.01.2022**

TP (CO)  
GC(10.03.2022) 3P 6C