



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.20888 of 2021

1.M.Elayaraja
2.D.Baskar

... Petitioners

Vs

1.The Inspector of Police,
Economic Office Wing-II,
Madurai.

2.M.Xavier

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the first respondent not to harass the petitioners under the guise of enquiry based on the false complaint lodged by the second respondent.

For Petitioners : Mr.S.Sarvagan Prabhu
For R1 : Mr.M.Sakthi Kumar
Government Advcoate (Crl.)

ORDER

The petitioners allege harassment at the hands of the respondent police based on the complaint of the second respondent.

2. The learned Government Advocate (Crl.) states that the enquiry into the second respondent's complaint is still pending.

3. In these circumstances, this Criminal Original Petition is disposed of with the following directions:-

"(a) The respondent police will issue written summons to the petitioners for causing their appearance before him for enquiry. There is no question of orally summoning the petitioner to the police station.

(b) The respondent police will conclude the enquiry within a period of two weeks from the date of receipt of a copy of this order.

(c) If at the end of the enquiry, cognizable offence is made out and the respondent police proposes to



register any FIR, the petitioners will be given notice of the same so that the petitioners will have breathing time to move the concerned Court for the relief of anticipatory bail.

(d) If the case is purely civil in nature, the complaint has to be closed."

Sd/-

Assistant Registrar (Records)

// 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 Inspector of Police,
Economic Office Wing-II,
Madurai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.SARVAGANPRABHU, Advocate (SR-232[F]
dated 04/01/2022)

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NSN(CO)
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