



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.20861 of 2021

K.Murugesan

... Petitioner

Vs.

1.The Superintendant of Police,
Office of the Superintendant of Police,
Dindigul District.

2.The Inspector of Police,
District Crime Branch,
Dindigul.

3.Jeyamohan

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents not to harass the petitioner without any legally sustainable complaint and to direct the respondents to follow the guideline issued by the Hon'ble Supreme Court in D.K.Basu (1997 1 SCC 416) case in matters pertaining to arrest or interrogation.

For Petitioner : Mr.C.Prithviraj

For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side) for R1 & R2.

Mr.K.Pandiyarajan for R3.

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 third respondent has given a complaint against the petitioner and that is presently pending enquiry.

3.In these circumstances, 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.

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(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.

4.The criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS-II)

// 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 Superintendant of Police,
Office of the Superintendant of Police,
Dindigul District.
- 2.The Inspector of Police,
District Crime Branch,
Dindigul.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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