



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2023

PRESENT

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P(MD)No.132 of 2023

M.Arunkumar

... Petitioner/Accused
Rank Not Known

-vs-

The State represented by
The Inspector of Police,
Silaiman Police Station,
Madurai District.
(in Cr.No.not known of 2023)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioner on bail in the event of his arrest by the respondent Police with respect to Cr.No. not known of 2023.

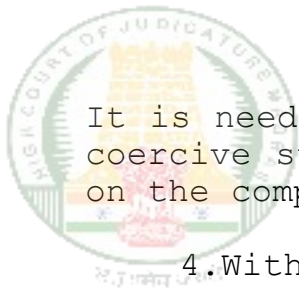
For Petitioner	: Mr.M.Sheik Abdullah Advocate
For Respondent	: Mr.P.Kottai Chamy Government Advocate (Crl.side)

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 408 of IPC in Crime No.not known 2022 on the file of the respondent Police, seeks anticipatory bail.

2.Today, when the matter is taken up for hearing, the learned Government Advocate(Crl.Side) appearing for the respondent Police submitted that the petition enquiry is pending against the petitioner in C.S.R.No.721 of 2022.

3. Considering the facts and circumstances, the respondent police has to issue notice under Section 41(A) of Cr.P.C to the petitioner and the petitioner is directed to appear before the respondent police and the Investigating Officer has to conduct the enquiry by strictly following the procedures therein and if any *prima facie* case is made out against the petitioner, register the F.I.R or close the petition enquiry within a period of two weeks from the date of the order. The parties are directed to cooperate with the enquiry.



It is needless to say that the respondent police shall not take any coercive steps to secure the accused till the completion of enquiry on the complaint lodged by the de-facto complainant.

4. With the above directions, this petition is disposed of.

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05/01/2023

/ TRUE COPY /

/01/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CMR

TO

1. THE INSPECTOR OF POLICE,
SILAIMAN POLICE STATION,
MADURAI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.ERULAPPARAJA, Advocate SR.No.1168(F), DATED :
06.01.2023.

ORDER
IN
CRL OP(MD) No.132 of 2023
Date : 05/01/2023

USK/SSS/SAR-I/19.01.2023/2P/4C