



CrI.O.P.(MD)No.440 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD)No.440 of 2023

Sudalai

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.

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

3.Sajith Thomas

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent not to harass the petitioner and his family members under the guise of investigation and except under due process of law.

For Petitioner : Mr.D.Saravanan,

For Respondents : Mr.R.Sivakumar
Government Advocate (CrI. Side)
for R1 & R2.



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ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the second respondent not to harass the petitioner and his family members under the guise of investigation and except under due process of law.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the State.

3. The learned Government Advocate (Criminal Side) appearing for the State would submit that the complaint given by the complainant is pending for enquiry and on that basis, the petitioner was directed to appear before the second respondent police for enquiry, but the petitioner has not turned up.

4. At this juncture, the learned counsel appearing for the petitioner would submit that the petitioner is ready to appear before the second respondent on receipt of summons.



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5. Taking into account the overall facts and circumstances, the following directions are issued:-

“(a) The second respondent shall issue written summons to the petitioner for causing his appearance before him for enquiry.

(b) The second respondent shall conclude the enquiry within a period of three 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 second respondent proposes to register any FIR, the petitioner will be given notice of the same so that the petitioner will have breathing time to move the concerned Court for the relief of anticipatory bail.”

6. With these directions, this Criminal Original Petition stands disposed of.

09.01.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
das

3/4



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K.MURALI SHANKAR,J.

das

To

- 1.The Superintendent of Police,
Tirunelveli District.
- 2.The Inspector of Police,
District Crime Branch,
Tirunelveli, Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.440 of 2023

Dated: 09.01.2023