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Crl.O.P.No.31134 of 2024

IN THE HIGH COUR OF JUDICATURE AT MADRAS

DATED : 13.12.2024

CORAM :

**THE HONOURABLE MR. JUSTICE A.D.JAGADISH
CHANDIRA**

Crl.O.P.No. 31134 of 2024

Dharmalingam

... Petitioner

Versus

**The State,
Represented by
The Inspector of Police
Udumalaipettai Police Station
Thiruppur District,
Crime No. Not known of 2024.**

...Respondent

Prayer : Criminal Original Petition filed Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an anticipatory bail to the petitioners in the event of the arrest in Crime No. Not known of 2024 pending on the file of the respondent police.

For Petitioner	:Mr.Sundarapandiyan B.
For Respondent	:Mr.S.Santhosh
	Government Advocate [Crl. Side]



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ORDER

Apprehending arrest in connection with Crime No.Not Known of 2024 registered for the offences punishable under Sections 296(b) and 318(4) of BNS in Crime No. Not Known of 2024 on the file of the respondent police, the present petition has been filed by the petitioner seeking anticipatory bail.

2. Today, when the matter is taken up for hearing, the learned Government Advocate (CrI.Side) appearing for the respondent Police submitted that the petition enquiry in C.S.R.No. 989 of 2024 is pending against the petitioner.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI. Side) appearing for the respondent Police.

4. Recording the submission made by the learned Government Advocate (CrI.Side), it is hereby directed that the respondent police has



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to issue notice under Section 35 of BNSS 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 at the earliest.

5. 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.

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

13.12.2024

MSM



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A.D.JAGADISH CHANDIRA, J.

MSM

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