



CRL OP(MD).No.5574 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.5574 of 2024

Dhanakodi

... Petitioner/Rank not known

Versus

State Rep. by
The Inspector of Police,
KK Nagar Police Station,
Trichy District.
(Crime Not known of 2024)

... Respondent/Complainant

For Petitioner : Mr.K.Sivabalan
Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.Not known of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in



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connection with a case in Crime No. Not known of 2024, for the offence under Sections 294(b), 505(1) of IPC r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the defacto complainant has borrowed a sum of Rs.2 lakh from the petitioner. Since the defacto complainant has failed to repay the said amount, the petitioner has abused her in filthy language in public place and also threatened her with dire consequences.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police submits that petition enquiry is pending in CSR No.197 of 2024

5. The allegation made in the complaint appears to be a civil in nature. In the event, if the complaint discloses any offence of criminal nature, the respondent Police shall register the case and proceed further.



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6. The respondent Police is not supposed to deal with the matter of civil in nature. In this regard, a circular has also been issued by the Additional Director General of Police in Circular NO.18/ ADGP/L&O/Camp/2024 dated 09.01.2024 that the police are strictly refrained from enquiring or entertaining in civil matters like money dispute, land dispute, property dispute, pathway dispute, intellectual property dispute, etc. Further, the Police Standing Order PSO.No.562 prohibits investigation in the cases of civil in nature.

7. In view of the above, this petition is disposed of with a direction to the respondent Police to conclude the petition enquiry within a period of three weeks from the date of receipt of a copy of this order and at any point of time, the petitioner shall not be harassed.

sd/-
12/04/2024

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/04/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO
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1 THE INSPECTOR OF POLICE
KK NAGAR POLICE STATION, TRICHY DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.K.SIVABALAN, Advocate (SR-4412[I] dated 15/04/2024)

ORDER
IN
CRL OP(MD) No.5574 of 2024
Date :12/04/2024

SS/JGB/SAR- /23/04/2024/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023