



Crl.O.P.(MD)No.12865 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.12865 of 2024

T.Ambethkar

... Petitioner

Vs.

1.The Superintendent of Police,
Tiruchirappalli District,
Tiruchirappalli.

2.The Deputy Superintendent of Police,
Lalgudi Sub Division,
Tiruchirappalli District.

3.The Inspector of Police,
Samayapuram Police Station,
Tiruchirappalli District.

4.Saroja

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the respondents 2 and 3 herein not to harass the petitioner under the guise of complaint given by the fourth respondent by considering the representation given by the petitioner dated 17.07.2024.



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For Petitioner : M/s.K.Vidya
For R1 to R3 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the respondents 2 and 3 not to harass the petitioner under the guise of complaint given by the fourth respondent by considering the representation given by the petitioner dated 17.07.2024.

2. The learned counsel appearing for the petitioner would submit that the fourth respondent has filed a petition invoking the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 before the Revenue Divisional Officer, Lalgudi and the Revenue Divisional Officer, after enquiry, has passed an order in favour of the fourth respondent and that the said order was challenged before this Court by the petitioner and the same is pending.



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3. The learned Government Advocate (Criminal Side) appearing for the respondents 1 to 3 would submit that on the basis of the complaint given by the fourth respondent, CSR No.552 of 2024 came to be registered and enquiry is pending.

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

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

“(a) The third respondent will issue written summons to the petitioner and to the private respondent for causing their appearance before him for enquiry. There is no question of orally summoning the parties to the police station.

(b) The third respondent will conclude the enquiry within a period of two 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 third respondent proposes to register any FIR, the petitioner will be given notice of the same so that



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the petitioner will have breathing time to move the concerned Court for the relief of anticipatory bail.”

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

07.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Superintendent of Police,
Tiruchirappalli District,
Tiruchirappalli.
- 2.The Deputy Superintendent of Police,
Lalgudi Sub Division,
Tiruchirappalli District.
- 3.The Inspector of Police,
Samayapuram Police Station,
Tiruchirappalli District.



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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.12865 of 2024

Dated: 07.08.2024