



*Crl.O.P.(MD)No.13295 of 2024*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2024

CORAM

**THE HON'BLE MR.JUSTICE K.MURALI SHANKAR**

Crl.O.P.(MD)No.13295 of 2024

Akbar Ali

... Petitioner

Vs.

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

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

3.Sumagalipriya

4.Ramesh

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 528 of BNSS,  
to direct the second respondent police not to harass the petitioner and his  
family under the guise of enquiry.

For Petitioner : Mr.M.Pandian

For R1 & R2 : Mr.P.Kottai Chamy  
Government Advocate (Crl. Side)

For R3 : Mr.K.Guhan



*Crl.O.P.(MD)No.13295 of 2024*

WEB COPY

## **ORDER**

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the second respondent police not to harass the petitioner and his family members under the guise of enquiry.

2. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that on the basis of the complaint given by the third respondent, current paper is pending and that the petitioner was directed to appear for enquiry in current paper but he has not turned up.

3. 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.

4. Considering the above, the following directions are issued:-

*“(a) The second respondent will issue written summons to the petitioner and to the private respondents*



***Crl.O.P.(MD)No.13295 of 2024***

*for causing their appearance before him for enquiry. There is no question of orally summoning the parties to the police station.*

*(b) The second 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 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.”*

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

**13.08.2024**

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



WEB COPY



*Crl.O.P.(MD)No.13295 of 2024*

**K.MURALI SHANKAR,J.**

csn

To

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

Order made in  
Crl.O.P.(MD)No.13295 of 2024

Dated: 13.08.2024