



Crl.O.P.(MD)No.13561 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.13561 of 2024

Ajithkumar

... Petitioner

Vs.

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

2.The Inspector of Police,
Solavanthan Police Station,
Madurai District.

3.Muniraj

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the second respondent police not to interfere in civil dispute between the petitioner and the third respondent in O.S.No.381 of 2024 on the file of the learned V Additional District and Sessions Judge, Madurai based on the petitioner's representation dated 13.08.2024.

For Petitioner : Mrs.A.Banumathy

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



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ORDER

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This criminal original petition has been filed seeking orders to direct the second respondent police not to interfere in civil dispute between the petitioner and the third respondent in O.S.No.381 of 2024 on the file of the learned V Additional District and Sessions Judge, Madurai based on the petitioner's representation dated 13.08.2024.

2.The learned counsel appearing for the petitioner would submit that though a civil suit for partition and declaration in O.S.No.381 of 2024 is pending on the file of the learned V Additional District and Sessions Judge, Madurai, in which, the third respondent is also defendant, on the basis of the complaint given by the third respondent, the second respondent is harassing the petitioner.

3.The learned Government Advocate(Crl.side) appearing for the official respondents would submit that on the basis of the complaint given by the third respondent, 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 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 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 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.”

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

19.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns



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K.MURALI SHANKAR,J.

gns

To

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

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