



Crl.O.P.(MD)No.13869 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.13869 of 2024

Suresh Raja

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District.

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

3.Senthilkumar

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to direct the second respondent herein not to harass the petitioner under
guise of an enquiry without due process of law.

For Petitioner : Mr.S.Ramasamy

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

For R3 : Mr.J.Senthil Kumar



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ORDER

This Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the second respondent not to harass the petitioner under the guise of an enquiry without due process of law.

2. 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, enquiry is pending in current paper and that though the petitioner was directed to appear for enquiry, 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. Taking into account the overall facts and circumstances, the following directions are issued:-



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“(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.”

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

23.08.2024

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

To
1. The Superintendent of Police,
Madurai District.



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K.MURALI SHANKAR,J.

csn

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

Order made in
Crl.O.P.(MD)No.13869 of 2024

Dated: 23.08.2024