



Crl.O.P.(MD)No.13946 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.13946 of 2024

Vanumamalai

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District.

3.Issac Grand

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to direct the second respondent not to harass the petitioner under the
guise of enquiry based on the complaint of the third respondent.

For Petitioner : Mr.D.Venkatesh

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



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ORDER

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The 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 enquiry based on the complaint of the third respondent.

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.

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:-

“(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



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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,
Kanyakumari District.

2.The Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District.



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K.MURALI SHANKAR,J.

csn

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.13946 of 2024

Dated: 23.08.2024