



WEB COPY



CrI.O.P.(MD)No.14325 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD)No.14325 of 2024

N.Manimuthu

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Thiruppathur Sub-Division,
Sivagangai District.

3.The Inspector of Police,
S.V.Mangalam Police Station,
Sivagangai District.

4.Muruganantham

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the respondents 1 to 3 not to interfere the civil dispute between the petitioner and the fourth respondent under the guise of enquiry.

For Petitioner : Mr.T.Veerakumar

For R1 to R3 : Mr.P.Kottai Chamy
Government Advocate (CrI. Side)

ORDER

This criminal original petition has been filed seeking orders to direct the



respondents 1 to 3 not to interfere the civil dispute between the petitioner and the fourth respondent under the guise of enquiry.

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2. When the above matter was taken up for hearing earlier, considering the submissions made on either side, this Court had directed the third respondent to appear before this Court on 09.09.2024 and in pursuance of the said directions, the third respondent appeared before this Court.

3. It is evident that in the earlier report, the Police Authorities have mentioned that the petitioner was enquired through phone and after enquiry, the same was closed. When the matter was taken up for hearing on 09.09.2024, the learned Government Advocate(Crl.side) would submit that the petitioner was summoned and was enquired in-person, that they have summoned the private respondent and after enquiry, the petition was ordered to be closed.

4. This Court, taking note of the contra stand taken by the respondent Police in the report filed on 29.08.2024 and the explanation given by the learned Government Advocate(Crl.side) that it was by mistake, directed the second respondent to enquire into the matter and submit a report through the first respondent. In pursuance to the said



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directions, the second respondent has submitted a report through the first respondent, wherein, it has been stated that the respondent Police have wrongly recorded as “called over phone, enquired and petition closed”, but actually, both parties were summoned and after enquiry, the same was closed, that the first and second respondents severely warned and duly instructed all their subordinates unit officers to double check all the documents for their correctness before being submitted to the Court and all the unit officers were apprised they shall be held accountable for the correctness of each and every document submitted to the Court and that the third respondent tender her unconditional apology if this Court finds that they have acted in dereliction of duty.

5.Recording the above report, the second and third respondent are directed not to harass the petitioner. Accordingly, this criminal original petition is disposed of.

23.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

gns

To

- 1.The Superintendent of Police,
Sivagangai District, Sivagangai.
- 2.The Deputy Superintendent of Police,
Thiruppathur Sub-Division, Sivagangai District.
- 3.The Inspector of Police,
S.V.Mangalam Police Station, Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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