



Crl.O.P.(MD)No.14412 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.14412 of 2024

Uma Ramanan

: Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Tenkasi District.

2.The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.

3.Ganathapy ammal

4.Ramaiah

: Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the second respondent police not to harass the petitioner under the guise of enquiry based on the petitioner's representation, dated 26.08.2024.

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondents : Mr.P.Kottai Chamy,
Government Advocate (Criminal Side)
for R1 & R2.

: Mr.Niranjan S.Kumar, for R3.



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ORDER

This Criminal Original Petition filed, under Section 528 of BNSS., seeking orders, to direct the second respondent not to harass the petitioner in the guise of enquiry by considering the petitioner's representation, dated 26.08.2024.

2. When the matter is taken up for hearing today, the learned counsel appearing for the third respondent would submit that the petitioner has created forged life certificate and also Aadhar Card and created other documents and that the third respondent has lodged the complaint before the second respondent, but without registering the FIR, they have been conducting enquiry in current paper.

3. The learned Government Advocate (Criminal Side) appearing for the State would submit that on the basis of the complaint given by the third respondent, enquiry is pending in current paper. He would further submit that the second respondent has directed the petitioner to appear for enquiry, but he has not turned up.



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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.

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 respondents 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.

30.08.2024

NCC : Yes/ No
Index : Yes/No
Internet : Yes/ No
das



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To

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



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K.MURALI SHANKAR,J.

das

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Dated: 30.08.2024