



Crl.O.P.(MD)No.15049 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.15049 of 2024

Kannayiramoothi

... Petitioner

Vs.

1.State of Tamil Nadu rep.by
The Superintendent of Police,
Ramanathapuram District.

2.The Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District.

3.Seetha

... Respondents

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

For Petitioner : Mr.C.Senthil Murugan

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



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ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders, to direct second respondent police not to harass the petitioner on the guise of enquiry in pursuance to the complaint lodged by the third respondent.

2. The learned counsel for the petitioner would submit that the petitioner's mother had pledged the jewels before the State Bank of India, Muthukulathur and after the death of the petitioner's mother, the third respondent has claimed the jewels and gave a complaint before the respondent police and that the second respondent has been harassing the petitioner.

3. The learned Government Advocate (Criminal Side) appearing for the State would submit that the third respondent has earlier given a complaint and on that basis, CSR.No.89 of 2024 came to be registered and during the pendency of the third respondent's complaint, the petitioner and the third respondent have preferred complaint before the first respondent and the same came to be forwarded to the second respondent and on that



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basis, current papers are pending. He would further submit that in the enquiry, they have come to know that the jewels are belonging to the third respondent and the petitioner has been making claim against the respondent and that the enquiry is now pending.

4. Recording the submissions made by the learned Government Advocate (Criminal Side) and 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.”



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

10.09.2024

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

To

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



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K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No.15049 of 2024

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