



Crl.O.P.(MD)No.15623 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.15623 of 2024

Chithiraisamy

... Petitioner

Vs.

- 1.The Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Paramakudi, Ramanathapuram District.
- 3.The Inspector of Police,
All Women Police Station,
Paramakudi, Ramanathapuram District.
- 4.Mohan

5.Jeyabharathi

... Respondents

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



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For Petitioner : Mr.D.Packiaraj
For R1 to R3 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)
For R4 & R5 : Mr.K.C.Ramalingam.

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders, to direct the third respondent police not to harass the petitioner under the guise of enquiry.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the State.

3. The learned Government Advocate (Criminal Side) appearing for the State would submit that the fifth respondent has given a complaint and on that basis, CSR.No.220 of 2024 came to be registered and that summon was sent to the petitioner, but he has refused to receive the same.



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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 third respondent on receipt of summons.

5. Taking into account the overall facts and circumstances, the following directions are issued:-

“(a) The third 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 third 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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6. With the above directions, this Criminal Original Petition stands disposed of.

18.09.2024

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

To

- 1.The Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Paramakudi, Ramanathapuram District.
- 3.The Inspector of Police,
All Women Police Station,
Paramakudi, Ramanathapuram District.
- 4.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.15623 of 2024

Dated: 18.09.2024