



Crl.O.P.(MD)No.15598 of 2024

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.15598 of 2024

Kannan

... Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District, Dindigul

2.The Inspector of Police,
Thandikudi Police Station,
Thandikudi, Dindigul District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the second respondent not to harass the petitioner in the guise of enquiry by interfering in the civil dispute.

For Petitioner : Mr.M.Kannan

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

ORDER

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 in the guise of enquiry by interfering in the civil dispute.



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

3. The learned counsel for the petitioner would submit that the petitioner is a builder and he was engaged by one Balachandran for the purpose of construction; that though he has received sum of Rs.53 lakhs, he has not even completed the ground floor portion and that the said Balachandran has lodged the complaint on the second respondent and on the basis CSR.No.229 of 2024 came to be registered and enquiry is pending.

4.Mr.C.Ramesh, learned counsel appearing for the said Balachandran would reiterate the contention raised by the learned counsel for the petitioner.

5. Considering the above and also 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.



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(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.

18.09.2024

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

To

- 1.The Superintendent of Police,
Dindigul District, Dindigul
- 2.The Inspector of Police,
Thandikudi Police Station,
Thandikudi, Dindigul 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
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