



CrI.O.P.(MD)No.15779 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 20.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD)No.15779 of 2024

Anadn

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City.

2.The Deputy Superintendent of Police,
City Crime Branch,
Madurai City.

3.The Inspector of Police,
City Crime Branch,
Madurai City.

4.The Sub-Inspector of Police,
Vilakuthoon Police Station,
Madurai City.
CSR.No.264/2024.

5.Manikandan

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the respondent police not to harass the petitioners except under due process of law.

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Cr.L.O.P.(MD)No.15779 of 2022

For Petitioner : Mr.J.Vijayaraja

For R1 to R4 : Mr.P.Kottai Chamy,
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 528 of BNSS., seeking orders, to direct the respondent police not to harass the petitioners except under due process of law.

2. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the State would submit that on the basis of the complaint given by the petitioner, enquiry has been conducted and the same was ordered to be closed. He would further submit that the fifth respondent has given a complaint and the same is pending in current paper.

3. According to the learned Government Advocate (Criminal Side) the petitioner was working as cashier under the fifth respondent and as per the compliant, the petitioner had misappropriated some amount and on that basis, the present complaint came to be registered.



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4. Recording the submission made by the learned Government Advocate (Criminal Side) and also 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 respondent 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 third 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.”

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

20.09.2024

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

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K.MURALI SHANKAR,J.

das

To

- 1.The Commissioner of Police,
Madurai City.
- 2.The Deputy Superintendent of Police,
City Crime Branch, Madurai City.
- 3.The Inspector of Police,
City Crime Branch, Madurai City.
- 4.The Sub-Inspector of Police,
Vilakuthoon Police Station, Madurai City.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.(MD)No.15779 of 2024

Dated: 20.09.2024