



Crl.O.P.(MD)No.15697 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.15697 of 2024

Marichamy

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Samayanallur,
Madurai District.

3.Augustin

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to direct the second respondent herein not to harass the petitioner and his
family members on the guise of enquiry except in accordance with law.

For Petitioner : Mr.H.Shahul Hameed

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

For R3 : Mr.P.Rajkumar



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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 and his family members on the guise of enquiry except in accordance with law.

2. The learned counsel appearing for the third respondent would submit that the petitioner was working as salesman in the third respondent's company and he had misappropriated the third respondent's company money to the tune of Rs.3 lakhs and that therefore the third respondent was constrained to lodge a complaint before the second respondent.

3. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that on the basis of the complaint given by the third respondent, enquiry is pending in current paper.



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4. Recording the same, the following directions are issued:-

“(a) The second 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 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.”

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

19.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm



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K.MURALI SHANKAR,J.

csn

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Samayanallur,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.15697 of 2024

Dated: 19.09.2024