



Crl.O.P.(MD)No.15775 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.15775 of 2024

Jegatheesan

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Madurai.

2.The Deputy Superintendent of Police,
O/o.The Superintendent of Police,
Madurai.

3.The Inspector of Police,
Melur Police Station,
Madura District.

4.Kalanithi

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the third respondents police not to harass the petitioner on the guise of enquiry except through due process of law.

For Petitioner : Mr.C.Gunasekaran

For R1 to R3 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)



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ORDER

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The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the third respondents police not to harass the petitioner on the guise of enquiry except through due process of law.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2.

3. The learned Government Advocate (Criminal Side) appearing for the State would submit that on the basis of the complaint given by the fourth respondent, CSR.No.1065 of 2024 came to be registered ; that during enquiry, the petitioner has given a complaint before the first respondent and the same was forwarded to the third respondent and the same is pending in current paper.

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::-



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“(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 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.

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 Superintendent of Police,
O/o.The Superintendent of Police,
Madurai.
- 2.The Deputy Superintendent of Police,
O/o.The Superintendent of Police,
Madurai.
- 3.The Inspector of Police,
Melur Police Station,
Madura District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.15775 of 2024

Dated: 20.09.2024