



Crl.O.P.(MD)No.15971 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.15971 of 2024

Esakki raja

... Petitioner

Vs.

The State of Tamilnadu rep by
1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Vickramasingapuram Police Station,
Tirunelveli District.

3.Jeyalakshmi

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the second respondent not to harass the petitioner under guise of enquiry without following due process of law based on the petitioner's representation dated 13.09.2024.

For Petitioner : Mr.D.Rameshkumar

For R1 & R2 : 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 second respondent not to harass the petitioner under the guise of enquiry without following due process of law based on the petitioner's representation dated 13.09.2024.

2. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that the petitioner is the brother of the third respondent, that on the basis of the complaint given by the third respondent, CSR came to be registered and after enquiry, the same was ordered to be closed and that subsequently the third respondent has given a complaint alleging that the petitioner has not complied with the undertaking given by him and the same is pending for enquiry in current paper.

3. 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



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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.”

4. With the above direction, this Criminal Original Petition stands disposed of.

23.09.2024

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

To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Inspector of Police,
Vickramasingapuram Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
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