



Crl.O.P.(MD)No.16229 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.16229 of 2024

Subbaiah @ Arivu

... Petitioner

Vs.

- 1.The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul District.
- 2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Dindigul District.
- 3.The Inspector of Police,
Natham Police Station,
Natham Town, Dindigul District.
- 4.The Sub-Inspector of Police,
Natham Police Station,
Natham Town, Dindigul District.

5.Perumal

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the respondents 1 to 3 not to harass the petitioner and his family members by the fourth respondent without any legally sustainable inquiry and without issuance any summon or proceedings.



Crl.O.P.(MD)No.16229 of 2024

WEB COPY

For Petitioner : Mr.A.Ananthi

For Respondents : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)
for R4.

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the respondents 1 to 3 not to harass the petitioner and his family members by the fourth respondent without any legally sustainable inquiry and without issuance any summon or proceedings.

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

3. The learned Government Advocate (Criminal Side) appearing for the State would submit that on the basis of the complaint given by the fifth respondent CSR.No.875 of 2024 came to be registered and enquiry is pending; that subsequently, the petitioner has given a complaint and the same is pending in current paper and that though the petitioner was



Crl.O.P.(MD)No.16229 of 2024

directed to appear for enquiry before the third respondent, he has not turned up.

4. At this juncture, the learned counsel appearing for the petitioner would submit that the petitioner is ready to appear before the third respondent on receipt of summons.

5. 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 respondents 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



Crl.O.P.(MD)No.16229 of 2024

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.

26.09.2024

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

To

- 1.The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul District.
- 2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Dindigul District.
- 3.The Inspector of Police,
Natham Police Station,
Natham Town, Dindigul District.
- 4.The Sub-Inspector of Police,
Natham Police Station,
Natham Town, Dindigul District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.16229 of 2024

K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No.16229 of 2024

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