



Crl.O.P.(MD)No.16231 of 2024

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.16231 of 2024

J.Asan Farook

... Petitioner

Vs.

1.The State of Tamil Nadu rep.by
The Superintendent of Police,
Dindigul District, Dindigul.

2.The Inspector of Police,
District Crime Branch,
Dindigul, Dindigul District.

3.Pitchai Mohaideen

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the second respondent police not to harass the petitioner and his family members in any manner in the guise of enquiry, based on the false complaint given by the third respondent by considering the representation, dated 10.09.2024.

For Petitioner : Mr.V.Karuna

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



Crl.O.P.(MD)No.16231 of 2024

WEB COPY

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders, to direct the second respondent police not to harass the petitioner and his family members in any manner in the guise of enquiry, based on the false complaint given by the third respondent by considering the representation, dated 10.09.2024.

2. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the State would submit that the petitioner as well as the third respondent have given complaint and the same are pending for investigation.

3. 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 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.



Crl.O.P.(MD)No.16231 of 2024

WEB COPY

(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 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,
Dindigul District, Dindigul.
- 2.The Inspector of Police,
District Crime Branch,
Dindigul, Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



Crl.O.P.(MD)No.16231 of 2024

K.MURALI SHANKAR,J.

DAS

Order made in
Crl.O.P.(MD)No.16231 of 2024

Dated: 26.09.2024