



CrI.O.P.(MD)No.16402 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD)No.16402 of 2024

N.Makesh

... Petitioner

Vs.

1.The Commissioner of Police,
Office of the Commissioner of Police, Madurai.

2.The Inspector of Police,
District Crime Branch,
Vishwanathapuram, Madurai.

3.N.Vijayabaskar

4.P.Ilangovan

5.R.M.Muthuponnu

6.R.Parameshwari

7.R.Jaya

8.B.Chinnaponnu

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the second respondent not to harass the petitioner under the guise of enquiry on the basis of the complaint of the respondents 4 to 8 as against the third respondent.

For Petitioner : Mr.D.Senthil



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For R1 & R2

: Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

ORDER

This criminal original petition has been filed seeking orders to direct the second respondent not to harass the petitioner under the guise of enquiry on the basis of the complaint of the respondents 4 to 8 as against the third respondent.

2.The learned counsel appearing for the petitioner would submit that the the petitioner earlier filed a similar petition in Crl.O.P.(MD) No.6706 of 2024 and this Court has passed an order dated 03.06.2024 allowing the said petition by directing the respondents not to harass the petitioner.

3.The learned Government Advocate(Crl.side) appearing for the official respondents would submit that the other victims have lodged a complaint and on that basis, enquiry was initiated and the petitioner was directed to appear for enquiry and that instead of appearing for enquiry, the petitioner has filed the present petition.



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

5.Taking into account the overall facts and circumstances, the following directions are issued:-

“(a) The second respondent shall 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.”



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

27.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns

To

1. The Commissioner of Police,
Office of the Commissioner of Police, Madurai.
2. The Inspector of Police,
District Crime Branch,
Vishwanathapuram, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

gns

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