



Crl.O.P.(MD)No.16332 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.16332 of 2024

Harikrishnan

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai.

2.The Assistant Commissioner of Police,
S.S.Colony, Madurai,
Madurai District.

3.The Inspector of Police,
Subramaniapuram Police Station,
Madurai District.

4.Arun Flex Distribution rep.by
Proprietor, Arun Subash.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the respondents 1 and 2 not to harass the petitioner under the guise of enquiry conducted by the third respondent based on the complaint made by the fourth respondent and consider the petitioner's representation, dated 14.09.2024.

For Petitioner : Mr.Kannan Gurusami



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

ORDER

The Criminal Original Petition has been filed, invoking Section 482 of Cr.P.C., seeking orders, to direct the respondents 1 and 2 not to harass the petitioner under the guise of enquiry conduct by the third respondent based on the complaint made by the fourth respondent and consider the petitioner's representation, dated 14.09.2024.

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 based on the complaint given by the fourth respondent, CSR.No.397 of 2024 came to be registered and enquiry is pending.

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 third 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.

27.09.2024

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



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K.MURALI SHANKAR,J.

das

To

- 1.The Commissioner of Police,
Madurai.
- 2.The Assistant Commissioner of Police,
S.S.Colony, Madurai, Madurai District.
- 3.The Inspector of Police,
Subramaniapuram Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.16332 of 2024

Dated: 27.09.2024