



Crl.O.P.(MD)No.16411 of 2024

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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.16411 of 2024

Vignesh

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.

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

3.Velusamy

4.Palpandi

5.Muthaiya

6.Balaganesh

7.Samuthirapandi

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the second respondent police not to harass the petitioner under the guise of enquiry without due process of law.



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For Petitioner : Mr.D.Rajaboopathy
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 police not to harass the petitioner under the guise of enquiry without due process of law.

2.When the matter is taken up for hearing today, the learned Government Advocate(Crl.side) appearing for the official respondents would submit that the petitioner has borrowed goods worth about Rs.96 Lakhs from the seventh respondent and failed to pay the amount and that on the basis of the complaint given by the respondents 3, 5 & 7, enquiry is pending.

3.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.



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4.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 respondents 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.”

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

27.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

gns

To

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

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