



Crl.O.P.(MD)No.17201 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.17201 of 2024

Muthusundar

... Petitioner

Vs.

1.State of Tamil Nadu
The Superintendent of Police,
O/o.The Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
AWPS, Srivaigundam,
Thoothukudi District.

3.Karpagavalli

... 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 based on the petitioner's representation, dated 27.09.2024.

For Petitioner : Mr.D.S.Haroon Rasheed

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



Crl.O.P.(MD)No.17201 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 under the guise of enquiry based on the petitioner's representation, dated 27.09.2024.

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 on the basis of the complaint given by the petitioner's wife/third respondent, CSR.No.247 of 2024 came to be registered and enquiry is pending.

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.



Crl.O.P.(MD)No.17201 of 2024

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.

14.10.2024

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



WEB COPY



Crl.O.P.(MD)No.17201 of 2024

K.MURALI SHANKAR,J.

das

To

1. The Superintendent of Police,
O/o.The Superintendent of Police,
Thoothukudi District.
- 2.The Inspector of Police,
AWPS, Srivaigundam,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.17201 of 2024

Dated: 14.10.2024