



Crl.O.P.(MD)No.17513 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.17513 of 2024

1.S.Kousic

2.M.Subbiah

3.Revathi

... Petitioners

Vs.

1.The Superintendent of Police,
Virudhunagar District.

2.The Inspector of Police,
All Women Police Station,
Virudhunagar,
Virudhunagar District.

3.A.Mydhili

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the second respondent not to harass the petitioners in connection with the complaint given by the third respondent.

For Petitioners : Mr.R.Anand



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For R1 & R2

: Mr.P.Kottaichamy
Government Advocate (Crl. Side)

ORDER

This criminal original petition has been filed seeking orders to direct the second respondent not to harass the petitioners in connection with the complaint given by the third respondent.

2.When the matter is taken up for hearing today, the learned Government Advocate(Crl.side) appearing for the official respondents would submit that earlier, the third respondent has given a complaint and enquiry was completed and since the first petitioner has admitted the relationship with the third respondent, the same was ordered to be closed and that subsequently, since the first petitioner has not acted upon the earlier undertaking, the third respondent has again lodged the complaint and the same is pending.

3.The learned counsel appearing for the petitioners would submit that the petitioners earlier filed a petition in Crl.O.P.(MD)No.13769 of



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2024 seeking anticipatory bail and this Court considering the submission made by the learned Additional Public Prosecutor that enquiry is pending, directed the petitioners to appear for enquiry on 29.08.2024 and also directed the respondent Police to complete the enquiry, within a period of two weeks thereafter.

4.The learned Government Advocate(Crl.side) appearing for the official respondents would submit that the petitioners have not appeared as directed by this Court.

5.At this juncture, the learned counsel appearing for the petitioners would submit that the petitioners are ready to appear before the second respondent for enquiry on receipt of summons.

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

“(a) The second respondent will issue written summons to the petitioners and to the private respondent for causing their appearance before him for enquiry.



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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 petitioners will be given notice of the same so that the petitioners will have breathing time to move the concerned Court for the relief of anticipatory bail.”

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

16.10.2024

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



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To

- 1.The Superintendent of Police,
Virudhunagar District.
- 2.The Inspector of Police,
All Women Police Station,
Virudhunagar,
Virudhunagar District.
- 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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