



Crl.O.P.(MD)No.17972 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.17972 of 2024

Gengai Athithan

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to direct the second respondent police not to harass the petitioner by
demanding the production of his lorry.

For Petitioner : Mr.T.A.Ebenezer

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

ORDER

The Criminal Original Petition has been filed, invoking Section



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528 B.N.S.S., seeking orders to direct the second respondent not to harass the petitioner by demanding the production of his lorry.

2. The learned counsel appearing for the petitioner would submit that the second respondent has registered an FIR in Crime No.208 of 2024 against the petitioner and another on 17.08.2024 for the alleged offences under Section 303(2) BNS and Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, that the petitioner was arrested and released on bail and that the petitioner while appearing before the second respondent to sign in pursuance of the direction of the bail Court, the second respondent has been harassing the petitioner to produce the lorry owned by the petitioner.

3. The learned Government Advocate (Criminal Side) appearing for the respondents would submit that in the occurrence, three vehicles were involved and out of three vehicles, two vehicles were seized and they have directed the petitioner to produce the third vehicle.

4. Admittedly, the respondent police has not issued any summons.



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5. Considering the above, the second respondent is directed to issue written summons to the petitioner and on receipt of the same, the petitioner is directed to appear before the second respondent and on such appearance, the second respondent is directed to take a decision within a period of two weeks from the date of appearance of the petitioner.

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

21.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.17972 of 2024

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