



Crl.O.P.(MD)No.17967 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.17967 of 2024

JRJ Marketing
represented through its Proprietor Jeyaraj

... Petitioner

Vs.

1.State of Tamil Nadu rep by
The Commissioner of Police,
Madurai City.

2.The Inspector of Police,
City Crime Branch Police Station,
Vishwanathapuram,
Madurai-625014.

3.M.Thiyagarajan
Sub-Inspector of Police,
City Crime Branch Police Station,
Vishwanathapuram,
Madurai-625014.

4.D.Kasi Vijayanathan

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to direct the respondents 2 and 3 not to interfere in the civil dispute and
not to harass the petitioner under the guise of enquiry pending suit in



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O.S.No.181 of 2024 pending before the Principal District Munsif,
Thirumangalam.

For Petitioner : Mr.S.Balaji

For R1 & R2 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the respondents 2 and 3 not to interfere in the civil dispute and not to harass the petitioner under the guise of enquiry.

2. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that on the basis of the complaint given by the fourth respondent, enquiry is pending in current paper.

3. Though the petitioner has alleged that there existed money transaction dispute between the petitioner and the fourth respondent and they have also filed a civil suit, it is evident from the plaint filed along with this petition that the petitioner has filed a suit against the fourth respondent, as if, he was the Managing Director of the JRJ Marketing.



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4. Considering the above, the following directions are issued:-

“(a) The second 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 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.

21.10.2024

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



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K.MURALI SHANKAR,J.

csn

To

- 1.The Commissioner of Police,
Madurai City.
- 2.The Inspector of Police,
City Crime Branch Police Station,
Vishwanathapuram,
Madurai-625014.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.17967 of 2024

Dated: 21.10.2024