



Crl.O.P.(MD)No.18695 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.18695 of 2024

1.Samayamuthu

2.Muthu

3.Muthukaruppan

4.Muthuvel

... Petitioners

Vs.

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

2.The Inspector of Police,
Austinpatti Police Station,
Madurai District.

3.Shankar
Sub Inspector of Police,
Austinpatti Police Station,
Madurai District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the third respondent herein not to harass the petitioner by falsely implicating a proceedings under Section 129 BNSS, 2023.



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For Petitioners : Mr.M.Gururaj

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

ORDER

The Criminal Original has been filed seeking orders to direct the third respondent not to harass the petitioner by falsely implicating a proceedings under Section 129 BNSS, 2023.

2. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that FIR came to be registered against the petitioners in Crime No.207 of 2024 for the alleged offences under Sections 329(4), 296(b), 115(2), 118(2) and 351(3) BNS, that the petitioners have already obtained anticipatory bail and that investigation is pending.

3. The learned counsel appearing for the petitioners would submit that after obtaining anticipatory bail, the third respondent has been directing the petitioners to appear again for initiating proceedings under Section 129 BNSS and since the petitioners have not turned up, he has



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been harassing the petitioners. Though the learned Government Advocate (Criminal Side) would deny the same, the fact remains that they have already obtained anticipatory bail and surrendered before the concerned Court and complied with the direction of this Court.

4. Considering the above facts and circumstances, this Court is of the view that the petitioners are entitled to get the relief claimed. Hence, the respondents police are directed not to harass the petitioners in anyway.

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

29.10.2024

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

To

- 1.The Superintendent of Police,
Madurai District,
Madurai.
- 2.The Inspector of Police,
Austinpatti Police Station,
Madurai District.



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K.MURALI SHANKAR,J.

csn

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.18695 of 2024

Dated: 29.10.2024