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CrI.OP.No.1182 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P. No.1182 of 2025

1.K.Sathish
2.K.Santhosh

... Petitioners

Vs.

State rep. by
The Inspector of Police,
W-8, AWPS-Thirumangalam,
Chennai.
[Crime No.Not Known]

... Respondent

PRAYER: Criminal Original Petitions filed under Section 438 of Code of Criminal Procedure, pleaded to enlarge the petitioners on bail in the event of their arrest in connection with Crime No.Not Known of 2024, on the file of the respondent.

For Petitioners : Mr.S.Parthibarajan
For Respondent : Mr.S.Santhosh
Government Advocate (CrI.Side)

ORDER

Apprehending arrest in connection with Crime No.Not Known of 2024 registered for the offences punishable under Section 498(A) of IPC, the present



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petition has been filed by the petitioners seeking anticipatory bail.

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2. Today, when the matter is taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that petition enquiry in C.S.R.No.257 of 2024 is pending against the petitioners and the respondent undertakes to conclude the enquiry within a period of two weeks.

3. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent Police.

4. Recording the submission made by the learned Government Advocate (Crl.Side), it is hereby directed that the respondent police has to issue notice under Section 35 of BNSS to the petitioners and the petitioners are directed to appear before the respondent police and the Investigating Officer has to conduct the enquiry by strictly following the procedures therein and if any *prima facie* case is made out against the petitioners, register the F.I.R and inform the petitioners, so that the petitioners will have breathing time to approach the jurisdictional Court for appropriate remedy or close the petition



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enquiry at the earliest.

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5. The parties are directed to cooperate with the enquiry. It is needless to say that the respondent police shall not take any coercive steps to secure the accused till the completion of enquiry on the complaint lodged by the *de facto* complainant.

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

17.01.2025

rst/at

To,

1.The Inspector of Police,
W-8, AWPS-Thirumangalam,
Chennai.

2.The Public Prosecutor,
High Court of Madras.



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G.R.SWAMINATHAN, J.

rst/at

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