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CrI.O.P.No.31986 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.31986 of 2024

S.Sivalingam

... Petitioner

Vs

The State Rep. by
The Inspector of Police,
R8, Vadapalani All Women
Police Station.

Crime No.Not known of 2024.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya
Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on
anticipatory bail in the event of arrest by the respondent police in Crime No. not
known of 2024 on the file of the respondent police.

For Petitioner	:	Mr.S.Parthasarathi
For Respondent	:	Mr.Santhosh Government Advocate (CrI.Side)

ORDER

Apprehending arrest in connection with Crime No.Not Known of
2024 for the offences punishable under Sections 296(b), 85, 351(3) of BNS, the
present petition has been filed by the petitioner 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 the petition enquiry in C.S.R.No.167 of 2024 is pending against the petitioner.

3. Heard the learned counsel for the petitioner 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 petitioner and the petitioner is 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 petitioner, register the F.I.R or close the petition enquiry at the earliest.

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.



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

02.01.2025

Index : Yes/No

Internet : Yes/No

rts

To

1. The Inspector of Police,
R8, Vadapalani All Women
Police Station.
2. The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J,

rts

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