



Crl.O.P.(MD) No.4666 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.03.2025

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THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL.OP(MD).No.4666 of 2025

T. Arunmuthu

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by the Superintendent of Police,
Kanyakumari,
Kanyakumari District.

2. The Deputy Superintendent of Police,
Thuckalay Range,
Kanyakumari District.

3. M.Anzar

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), to direct the 2nd respondent not to harass the petitioner in the guise of enquiry.

For Petitioner : Mr.K.Ajith Kumar

For R-1 & R-2 : Mr.M.Sakthi Kumar

Government Advocate (Crl. Side)

ORDER

This petition has been filed by the petitioner to direct the 2nd



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respondent not to harass the petitioner in the name of enquiry.

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2. According to the petitioner, based on the complaint given by the 3rd respondent, the 2nd respondent police issued summon dated 07.02.2025 to appear on 08.02.2025, but the petitioner did not know what the contents of the complaint. Already one Azar lodged a complaint against the petitioner and based on the same, the Inspect of Police, Thuckalay, has harassed the petitioner. Therefore, he filed a petition in Crl.O.P(MD) No. 2630 of 2025 and the same was disposed of by directing the Inspector of Police, Thuckalay, to conduct enquiry and dispose of the same within a week through order dated 13.02.2025. In the mean time, the 2nd respondent issued summon on 07.02.2025 to appear for enquiry on 08.02.2025. Therefore, he has filed this petition.

3. The learned Government Advocate (Criminal Side) appearing for the respondents no.1 and 2 would submit that already this Court directed the Inspector of Police, Thuckalay, to conduct enquiry on the complaint given by one Azar as against the petitioner and dispose of the same with in a week, and thereby, the 2nd respondent earlier has issued summon dated 07.02.2025 for appearance of the petitioner on 08.02.2025.



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But the petitioner suppressing the earlier order passed by this Court on 13.02.2025 filed this petition. The respondent police issued the summon for appearance on 08.02.2025 for enquiry as per the direction of this Court. Therefore, nothing survives for further adjudication in this case.

4. According to the petitioner, the respondent police harassed the petitioner by issuing summon to appear on 08.02.2025. This Court passed an Order on 13.02.2025 by directing the respondent police to complete the enquiry within a week based on the complaint given by one Azar as against this petitioner. Now the respondent police issued summon for enquiry on 08.02.2025 by complying the order of this Court. Mere issuance of summon by the police for enquiry will not amount to harassment and it is the duty of the petitioner to respond to the summon. Therefore, in view the same, this petition has no merits and deserves to be dismissed. Accordingly, this Criminal Original Petition is dismissed.

13.03.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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P.DHANABAL, J.

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To

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

2. The Deputy Superintendent of Police,
Thuckalay Range,
Kanyakumari District.

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

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