

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2018

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P. No.25571 of 2018

S.Sushil Kumar Srinivasan

...Petitioner

vs.

The State of Tamil Nadu,
Represented by Inspector of Police,
R-4, Soundrapandiyanar Police Station(Crime)
T.Nagar, Chennai-17.

....Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police not to harass the petitioner and his family members and other directors of M/s.Trishul Electric and Power Generation Ltd in the name of registering FIR against the petitioner and others.

For Petitioner : Mr.R.Sunil Kumar

For Respondent : Mr.M.Mohamed Riyaz, APP

ORDER

This Criminal Original Petition has been filed seeking for a direction to respondent not to harass the petitioner.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

3.The learned Additional Public Prosecutor would submit that the petition enquiry is pending in CSR.No.225 of 2018 against the petitioner on the file of the respondent Police.

4.The petitioner is directed to cooperate with the police for enquiry and at the time of conducting of the enquiry, the petitioner shall not be harassed by the police. The police cannot call the petitioner on a regular basis in the guise of enquiry without even registering an FIR and the Supreme Court of India in Lalitha Kumari Vs. Government of Uttar Pradesh reported

in 2013 (6) CTC 353 has enumerated the nature of cases where preliminary enquiry can be conducted and has also restricted the period, for which the preliminary enquiry can be conducted. During the course of enquiry, if any cognizable offence is made out, the respondent is free to register an FIR and this order shall not be a shield for the petitioners against the respondent proceedings to take action in accordance with law.

5. With the above directions, the Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

KP

To

1. The Inspector of Police,
R-4, Soundrapandiyanar Police Station (Crime)
T. Nagar, Chennai-17.

2. The Public Prosecutor,
High Court of Madras,
Madras.

+1cc to Mr. R. Sunil Kumar, Advocate, S.R.No. 76560

CrI.O.P. No. 25571 of 2018

NRJK (CO)
GSP (27/11/2018)

सत्यमेव जयते

WEB COPY