

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 16.11.2018

CORAM:
THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.26691 of 2018

V.Poornima

... Petitioner

-vs-

1.The Asst. Commissioner of Police,
Adyar
Chennai - 600 041.

2.The Inspector of Police, (Law and Order)
J-4, Kotturpuram Police Station,
Chennai - 600 085.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code to direct the respondent police not to harass the petitioner by way of False case against her.

For Petitioner : Mr.Shreedhar

For Respondents : Mr.C.Raghavan
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to direct the respondent police not to harass the petitioner by way of False case against her.

2.Heard learned Counsel for the petitioner and learned Government Advocate (Crl. Side) for the respondents.

3.The learned Government Advocate (Crl. Side) appearing for the respondents police submits that on the complaint given by the defacto complainant/petitioner, petition enquiry is pending before the 2nd respondent in C.S.R.No.677 of 2018 on the file of the respondents 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 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 preliminary enquiry can be conducted. During the course of enquiry, if any cognizable offence is made out, respondents are free to register an FIR and this order shall not be a shield for the petitioner against the respondent proceeding to take action in accordance with law.

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

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ssr/ub

To

1. The Asst. Commissioner of Police,
Adyar
Chennai - 600 041.
2. The Inspector of Police, (Law and Order)
J-4, Kotturpuram Police Station,
Chennai - 600 085.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Shreedhar, Advocate, S.R.No.78258

CRL.O.P.No.26691 of 2018

KJ(CO)

rrs 13/12/2018

सत्यमेव जयते

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