

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 22.11.2018

CORAM:
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.27085 of 2018

Anandharaj

...Petitioner

Vs.

1.The Superintendent of Police,
Tirupur District.

2.The Inspector of Police,
Avinashi Police Station,
Tirupur District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to directing the respondents not to harass the petitioner and his family members on the file of the representation made by the petitioner before the first respondent on 19.11.2018.

For Petitioner :Mr.P.Kalimuthu

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

O R D E R

This Criminal Original Petition has been filed to direct respondents not to harass the petitioner and his family members based on the complaint given by Raman and Jaya.

2. Heard learned counsel appearing 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 petitioner, petition enquiry is pending in C.No.33210 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, second respondent is 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 direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rpl

To

- 1.The Superintendent of Police,
Tirupur District.
- 2.The Inspector of Police,
Avinashi Police Station,
Tirupur District.

Copy To:

The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Kalimuthu, Advocate, S.R.No.79603

Crl.O.P.No.27085 of 2018

VGI (Co)

rrs 13/12/2018

सत्यमेव जयते

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