

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.28642 of 2018

Bharathi

... Petitioner

Vs.

- 1.The Superintendent of Police,
Cuddalore District,
Cuddalore.
- 2.The Deputy Superintendent of Police,
Thittakudi Division,
Cuddalore District.
- 3.The Inspector of Police,
Ramanatham Police Station,
Cuddalore District.

Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to directing the Second respondent and Third respondent not to harass the petitioner with following the due process of law to secure the ends of justice.

For Petitioner : Mr.M.Velmurugan
For Respondents : Mr.M.Mohamed Riyam
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Second respondent and Third respondent not to harass the petitioner with following the due process of law to secure the ends of justice.

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

3. The learned Additional Public Prosecutor appearing for the respondents police submits that on the complaint given against the petitioner, petition enquiry is pending in C.S.R. No.426 of 2018 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 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 respondents' proceeding to take action in accordance with law.

5. With the above direction, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS vi)

//True Copy//

Sub Assistant Registrar

ssr/kal

To

- 1.The Superintendent of Police,
Cuddalore District,
Cuddalore.
- 2.The Deputy Superintendent of Police,
Thittakudi Division,
Cuddalore District.
- 3.The Inspector of Police,
Ramanatham Police Station,
Cuddalore District.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Velmurugan, Advocate SR.No. 86146

Cr1.O.P.No.28642 of 2018

A.SK(10/01/2019)

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