

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.28973 of 2018

S.Santhanakrishnan

... Petitioner

Vs.

The State rep by
The Inspector of Police,
All Women Police Station,
Mannargudi,
Thiruvarur District.

....Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, directing the respondent not to harass the petitioner.

For Petitioner : Mr.D.Bharathy

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

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

2.Heard the learned Counsel for the petitioner and learned Additional Public Prosecutor for the respondent.

3. It is seen from the records that there is a family dispute pending between the parties. The respondent police shall not harass the petitioner in the name of enquiry. If any complaint is given against the petitioner, the respondent police shall deal with the same strictly in accordance with law. 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, 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.

4. This Criminal Original Petition is disposed of with the above direction.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

lpp/vsa

To

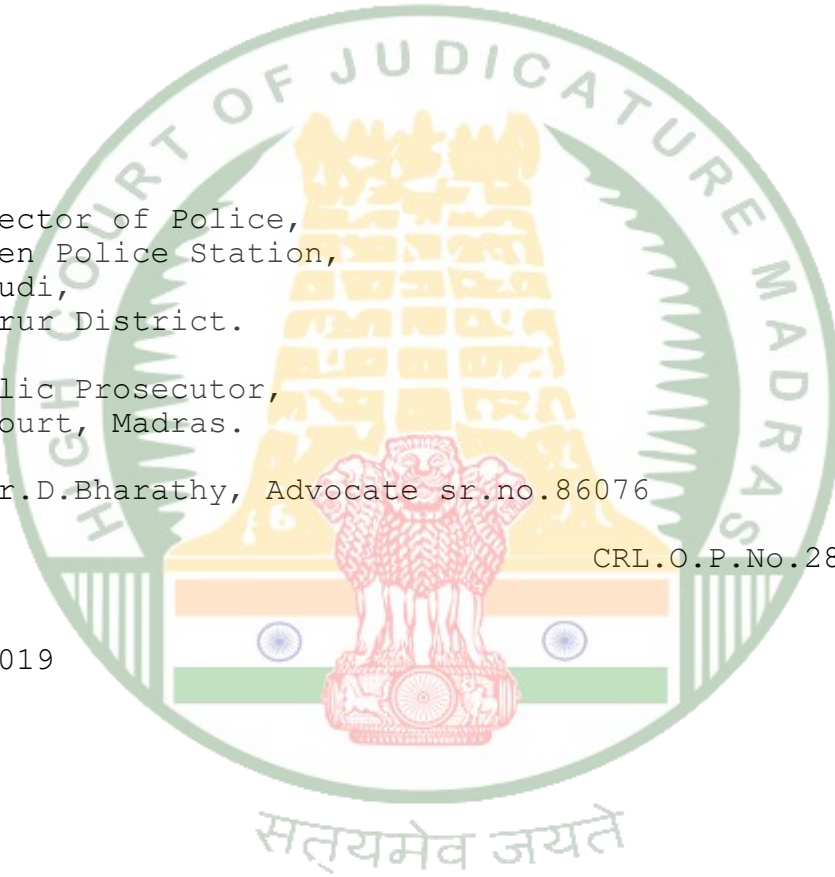
1.The Inspector of Police,
All Women Police Station,
Mannargudi,
Thiruvavarur District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.Bharathy, Advocate sr.no.86076

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mp(co)
nr 22/01/2019



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