

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.28945 of 2018

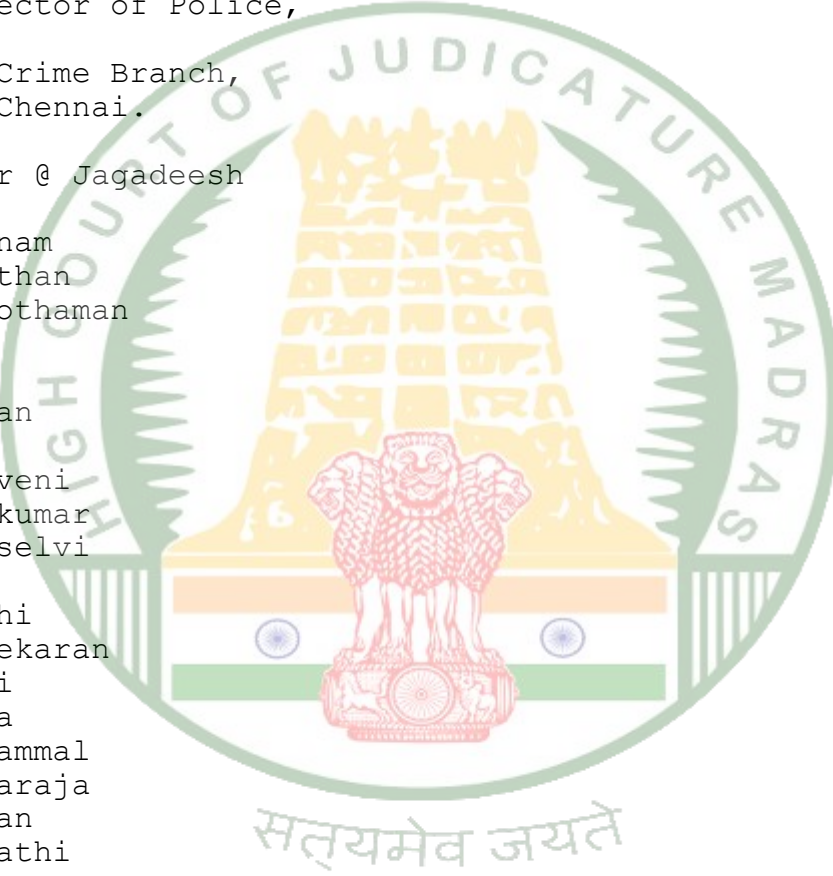
1.Gomathinayagi
2.Anandan

... Petitioners

Vs.

1.The Inspector of Police,
Team-V,
Central Crime Branch,
Vepery, Chennai.

2.Ravikumar @ Jagadeesh
3.Rajkumar
4.R.Sivananam
5.V.Kasinathan
6.S.Purushothaman
7.Revathi
8.Arun
9.Parnthaman
10.Chandra
11.Krishnaveni
12.Sathishkumar
13.K.Kalaiselvi
14.Mayavan
15.S.Sumathi
16.A.Gunasekaran
17.S.Santhi
18.S.Pushpa
19.S.Muniyammal
20.M.Dharmaraja
21.V.Murugan
22.M.Gunamathi
23.S.Managa
24.S.Jothibai
25.S.Bharanikumar
26.N.Vasanthi
27.V.Latha
28.C.Vittalrav
29.Jothilakshmi
30.P.Varalakshmi
31.Sanmugam
32.Malligehswari
33.Gomathi
34.Vijayakumar
35.Joseph Ruban



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... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the first respondent not to harass the petitioners till first respondent taking steps to recover money from second and fourth respondents and to hand over recovered money to 5th to 35th respondents based on FIR No.329 of 2018 dated 30.07.2018.

For Petitioners : Mr.I.Arockia Selvaraj

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

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

2. The learned Additional Public Prosecutor would submit that the FIR has been registered in Crime No.329 of 2018 for an offence under Sections 420, 465, 468 and 471 of IPC against one Ravikumar. During the course of investigation, it came to be known that these petitioners were also involved in the collection of deposits. Therefore, the respondent police called the petitioners for an enquiry. The first respondent police shall not harass the petitioners in the name of enquiry. The police cannot call the petitioners 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.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

lpp/vsa

To

1.The Inspector of Police,
Team-V,
Central Crime Branch,
Vepery, Chennai.

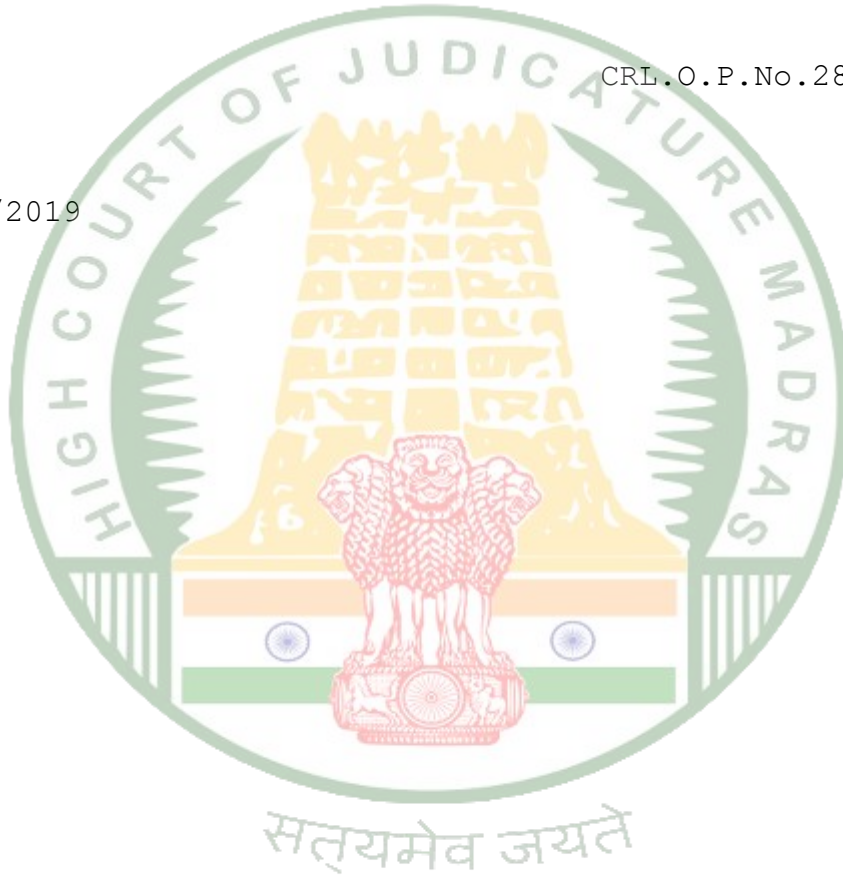
2.The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.I.Arockia Selvaraj, Advocate, S.R.No.85774

CRL.O.P.No.28945 of 2018

PA(CO)

rrs 09/01/2019



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