

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.29054 of 2018
and
Crl.M.P.No.16999 of 2018

Michael Ananth Ravichandran

... Petitioner

Vs.

State of Tamil Nadu
through Officer Incharge,
S-15, Selaiyur Police Station,
New.No.108/Old No.104,
Velacheri Main Road,
Selaiyur, Chennai - 600 073.

...Respondent

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

For Petitioner : Mr.Shams Khwaja and Associate

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 and his aged parents.

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 matrimonial dispute between the parties. The respondent police shall not harass the petitioner and his aged parents 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. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

lpp/vsa

To

1. The Officer Incharge,
S-15, Selaiyur Police Station,
New.No.108/Old No.104,
Velacheri Main Road,
Selaiyur, Chennai - 600 073.

2. The Public Prosecutor,
High Court, Madras.

+13 cc's to Mr.Shams Khwaja, Advocate in
Sr.Nos.85772,85773 & 85775

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CSL/13.12.2018

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