



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2018

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.4854 of 2018

Sendrayan

... Petitioner

Vs.

1.The Superintendent of Police,
Theni District, Theni.

2.The Deputy Superintendent of Police,
Andipatti,
Theni District.

3.The Inspector of Police,
Kandamanur Police Station,
Theni District.

4.The Sub Inspector of Police,
Kandamanur Police Station,
Theni District.

5.Dhaslin

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. directing the respondents more particularly the respondents 2 to 4 not to harass the petitioner by involving or interfering in the civil dispute persisting between the petitioner and the fifth respondent forthwith.

For Petitioner : Mr.B.Jeyakumar

For Respondents :Ms.Suyambulingam Bharathi, G.A.
(Crl.side)

ORDER

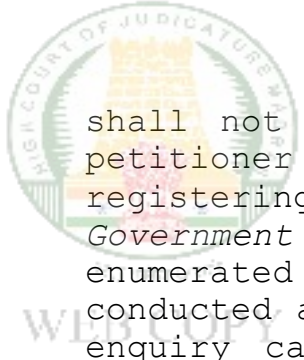
This Criminal Original Petition has been filed to direct the respondents concerned not to harass the petitioner by interfering civil dispute between the petitioner and the fifth respondent.

2. Heard learned counsel appearing for the petitioner and learned Government Advocate (Crl.side) for the respondents Police.

3. The learned Government Advocate (Crl.side) appearing for the respondents Police submits that on the complaint given by the fifth respondent against the petitioner, petition enquiry is pending in C.S.R. No.382 of 2018 respondent concerned.

<https://hcservices.ecourts.gov.in/hcservices/>

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 closed.

Sd/
Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar (CS-I)

To

1. The Superintendent of Police,
Theni District, Theni.

2. The Deputy Superintendent of Police,
Andipatti,
Theni District.

3. The Inspector of Police,
Kandamanur Police Station,
Theni District.

4. The Sub Inspector of Police,
Kandamanur Police Station,
Theni District.

+1cc to Mr. B. Jeyakumar, Advocate, SR.No.79599

Crl.O.P. (MD) No.4854 of 2018
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GNS

KK/SKN/SAR-1/04.10.2018/2P-6C