



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.11.2018
CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) No.19824 of 2018

Sureshkumar

... Petitioner

Vs.

State represented by
The Inspector of Police,
All Women Police Station,
Solavanthan,
Madurai District.

...Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C, to direct the respondent not to harass the petitioner.

For Petitioner : Mr.K.N.Balakrishnan

For Respondent : Mr.Suyambulingam Bharathi,
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to direct the respondent concerned not to harass the petitioner.

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 respondent submitted that on the complaint given by the complainant against the petitioner, petition enquiry is pending in C.S.R. No.513 of 2018 respondent concerned.

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, 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(CO)

Sub Assistant Registrar(CS-I)



To

1.The Inspector of Police,
All Women Police Station,
Solavanthan,
Madurai District.

2.The Additional Public Prosecutor,
Madura Bench of Madras High Court,
Madurai.

Das

KM/BK/SAR1/17.12.2018/2P/3C

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