



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD)No.5067 of 2018

V.Subramani

... Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
District Crime Branch,
Dindigul.

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the second respondent not to harass the petitioner and his family members on the guise of investigation by considering his representation dated 20.03.2018 and in accordance with law.

For Petitioner : Mr.J.Lawrance

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

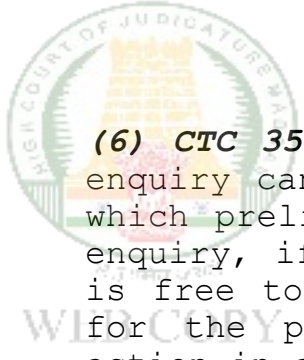
ORDER

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioner and his family members under the guise of investigation by considering his representation dated 20.03.2018.

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 a complaint is pending against the petitioner's son and hence, petition enquiry is pending in C.S.R. No.G3/3024/306/18.

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



(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 (CO)

// True Copy //

Sub Assistant Registrar

To

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
District Crime Branch,
Dindigul.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High court,
Madurai.

Cr1.O.P. (MD) No.5067 of 2018

gns

DS/RP/SAR-3(17.09.2018) 3P 4C