



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2018

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.(MD)No.6603 of 2018

1.V.Jeyamadhavan
2.S.Ravichandran

... Petitioners

Vs.

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

2.The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram District.

3.The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.

4.Selvi

5.Arockiasamy

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the third respondent not to interfere in the civil dispute and not to harass the petitioners and their family members on the basis of petitioners' representation dated 17.04.2018.

For Petitioners : Mr.S.Muthukumar
For R-1 to R-3 : Mr.M.Chandrasekaran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the third respondent not to interfere in the civil dispute and not to harass the petitioners and their family members under the guise of enquiry.



3.The learned Additional Public Prosecutor appearing for the respondent police submits that on the complaint against the petitioners, petition enquiry is pending in C.S.R. No.155 of 2018 on the file of the third respondent police.

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4.The petitioners are 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, third respondent is free to register an FIR and this order shall not be a shield for the petitioners 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(RTI)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

- 1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram District.
- 3.The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

LS

DS RP SAR-4 03.10.2018 2P/5C

Crl.O.P.(MD)No.6603 of 2018