



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 29.08.2018
CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

Crl.O.P.(MD)No.9069 of 2017

Balu Deepan

... Petitioner

Vs.

1. The Inspector of Police,
All Women Police Station,
Karur.

2.Sharmila

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C to direct the first respondent not to harass the petitioner and his family members in the guise of enquiry based on the complaint given by the second respondent.

For Petitioner : Mr.G.Thalaimutharasu

For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)

For R2 : Mr.S.Chella Pandian

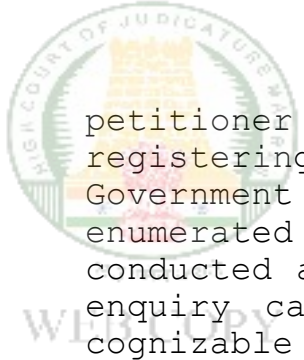
ORDER

This Criminal Original Petition has been filed to direct the first respondent not to harass the petitioner and his family members in the guise of enquiry based on the complaint given by the second respondent.

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

3. The learned Government Advocate (Crl.side) appearing for the respondent police submits that on the complaint given against the petitioner, petition enquiry is pending.

<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(T&P)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Inspector of Police,
All Women Police Station,
Karur.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.9069 of 2017
29.08.2018

CM
ES/SKN/RSK/SAR 1/26.09.2018/2P/3C