



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.9441 of 2018

G.Radhakrishnan

... Petitioner

Vs.

1.The Assistant Commissioner of Police,
Srirangam zone,
Srirangam,
Trichy District.

2.The Inspector of Police
Woraiyur Police Station (L &O),
Trichy District.

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to directing the respondents not to harass the petitioner in the name of pay the amount as well as enquiry.

For Petitioner	: Mr.P.Sesubalanraja
For Respondents	: Mr.M.Chandrasekaran
	Additional Public Prosecutor

ORDER

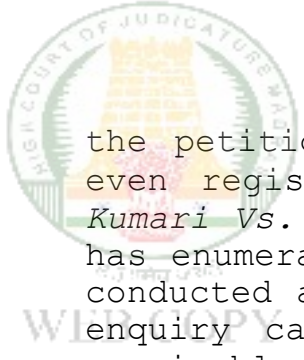
This Criminal Original Petition has been filed to direct the respondents not to harass the petitioner.

2. Heard learned counsel appearing for the petitioner and learned Additional Public Prosecutor for the respondents.

3.The learned Additional Public Prosecutor appearing for the respondent police submits that on the complaint given against the petitioner, petition enquiry is pending on the file of the respondent police.

4.The learned counsel for the petitioner submits that he is continuously harassed in the name of enquiry.

5.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 respondent police is directed to complete the enquiry with in a period of two weeks from the date of receipt of a copy of this order. 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(RTI)

/True Copy/

Sub Assistant Registrar(CS IV)

Ls

To

- 1.The Assistant Commissioner of Police,
Srirangam zone, Srirangam,
Trichy District.
- 2.The Inspector of Police
Woraiyur Police Station (l & o),
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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