



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.9721 of 2018

Rengaraj

... Petitioner

Vs.

- 1.The District Superintendent of Police,
Karur District, Karur,
- 2.The Inspector of Police
Land Grabbing (Prevention) Special Wing
Karur District, Karur.

3.N.Arumugam

4.Thangamani

...Respondents

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

For Petitioner	: Mr.R.Murugappan
For R-1 and R-2	: Mr.M.Chandra sekaran
	Additional Public Prosecutor

ORDER

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

2. Heard learned counsel appearing for the petitioner and learned Additional Public Prosecutor for the first and second 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 second respondent police.

4.However, the petitioner is only the father and he cannot be harassed in the name of enquiry. 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.

WEB COPY

5. With the above directions, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

- 1.The District Superintendent of Police,
Karur District,
Karur,
- 2.The Inspector of Police
Land Grabbing (Prevention) Special Wing
Karur District,
Karur.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

LS

DS RP SAR-4 01.10.2018 2P/4C

Crl.O.P. (MD)No.9721 of 2018
24.08.2018