



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2018

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CRL.O.P. (MD) No.14049 of 2018

WEB COPY

1.A.Manjula

2.P.Parthiban

3.P.Lavanya

... Petitioners

Vs.

The Inspector of Police, (Crime)
Karimedu Police Station,
Madurai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the respondent not to harass the petitioners and his family members in the guise of petition enquiry.

For Petitioners : Mr.R.VinothKumar

For Respondent : Mr.M.Chandrasekaran

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the respondent police not to harass the petitioners under the guise of enquiry.

2.Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the respondent.

3.The learned Additional Public Prosecutor appearing for the respondent police submits that on the complaint dated 30.07.2018 given by the defacto complainant against the petitioners, petition enquiry is pending in CSR No.406 of 2018 on the file of the respondent police

4.The petitioners are directed to cooperate with the police for enquiry and at the time of conducting of the enquiry, the petitioners shall not be harassed by the police. The police cannot call the petitioners 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, 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 directions, the Criminal Original Petition is closed.

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/True Copy/

Sd/-

Assistant Registrar (CS-II)

Sub Assistant Registrar (CS-II)

To

1. The Inspector of Police, (Crime)
Karimedu Police Station,
Madurai.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.R.Vinoth Kumar Advocate in SR.No.77721.

RMI

DS/SKN/SAR-2 :28.08.2018: 2P/4C

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