



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.08.2018
CORAM
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD) No.14302 of 2018

WEB COPY

1. M.Subbaiah
2. V.Muthu Manikam
3. M.Vijayalakshmi ... Petitioners
Vs.

1. The Superintendent of Police
Sivagangai District, Sivagangai
2. The Deputy Superintendent of Police
Sivagangai District, Sivagangai
3. The State
Represented by the
The Inspector of Police
All Women Police Station
Taluk Office Road, Ram Nagar
Devakottai, Sivagangai District

4. C.Chittal ... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent not to interfere on the matrimonial dispute of the petitioner and harass the petitioner under the guise of investigation in C.S.RNo. 166 of 2018

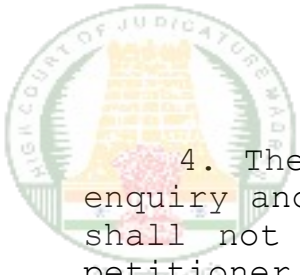
For Petitioners	: Mr.T.Pon Ramkumar
For Respondents	: Mr.K.Chandrasekaran
No.1 to 3	Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to to direct the respondent not to interfere on the matrimonial dispute of the petitioner and harass the petitioner under the guise of investigation in C.S.RNo. 166 of 2018

2. Heard learned counsel appearing for the petitioners 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 by C.Chittal against the petitioners, petition enquiry is pending in C.No.182 of 2018 on the file of the third respondent police.



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(Crl.side)

/True Copy/

Sub Assistant Registrar(CS-IV)

To :

1. The Superintendent of Police
Sivagangai District, Sivagangai
2. The Deputy Superintendent of Police
Sivagangai District, Sivagangai
3. The Inspector of Police
All Women Police Station
Taluk Office Road, Ram Nagar
Devakottai, Sivagangai District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.T.Pon Ramkumar, Advocate, SR.No. 15435

Cr1.O.P.(MD)No.14302 of 2018
13.08.2018

AAV

ES/SKN/RSK/SAR 4/03.09.2018/2P/6C