



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.14301 of 2018

WEB COPY

1. B.Bhoomi

2. Bhuvana

... Petitioners

Vs.

1. The State Rep. by  
The Commissioner of Police  
O/o.Commissioner of Police  
Madurai.

2. The Inspector of Police  
S.S.Colony Police Station  
Madurai

3. Ashok

4. Latha

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the first respondent to instruct the second respondent not to harass the petitioner on the basis of the representation dated 06.08.2018

|                 |                              |
|-----------------|------------------------------|
| For Petitioners | : Mr.G.Thiruvavutselvan      |
| For Respondents | : Mr.K.Chandrasekaran        |
|                 | Additional Public Prosecutor |

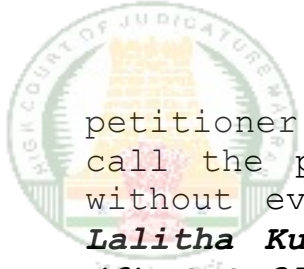
### ORDER

This Criminal Original Petition has been filed to direct the first respondent to instruct the second respondent not to harass the petitioner on the basis of the representation dated 06.08.2018

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 against the petitioner, petition enquiry is pending in C.no.172/AC/TTL on the file of the first 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 (WRITS)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Commissioner of Police  
O/o.Commissioner of Police  
Madurai.
2. The Inspector of Police  
S.S.Colony Police Station  
Madurai
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Aav  
MK/SKN/SAR 1/04.09.2018/2P/4C

Crl.O.P.(MD)No.14301 of 2018  
13.08.2018