



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.08.2018

CORAM

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD) No.14515 of 2018

1. L.Saravana Perumal

2. Shanthi

... Petitioners

Vs.

1. The State through
The Inspector of Police
Madhagupatti Police Station
Sivagangai District

2. S.Vijayarani

...Respondents

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

For Petitioner	: Mr.C.Jawahar Ravindran
For Respondent	: Mr.M.Chandrasekaran
No 1	Additional Public Prosecutor

ORDER

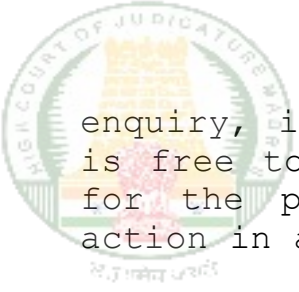
This Criminal Original Petition has been filed to direct the first respondent not to harass the petitioners

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 S.Vijayarani against the petitioners, petition enquiry is pending on the file of the first 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, first 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 direction, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Inspector of Police
Madhagupatti Police Station
Sivagangai District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.C.Jawahar Ravindran, Advocate Sr.No.79218

AAV

VB/RP/SAR3/05.09.2018/2P/4C

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