



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 04.09.2018
CORAM
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD) No.15744 of 2018

WEB COPY

Raghurajarathinam

... Petitioner

Vs.

1. The Inspector of Police,
North Police Station,
Rajapalayam Town,
Virudhunagar District.

2. Maheswaran

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st respondent not to harass the petitioner based on the complaint of 2nd respondent herein namely Maheswaran in the matter relating to their money dispute which is sub-judice in O.S.N.280 of 2018 on the file of the Sub Court, Srivilliputhur.

For Petitioner : Mr.M.Thirunavukkarasu

For R1 : Mr.M.Chandrasekaran,
Additional Public Prosecutor.

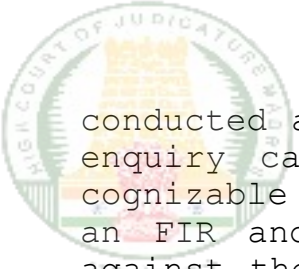
ORDER

This Criminal Original Petition has been filed to direct the 1st respondent not to harass the petitioner based on the complaint of 2nd respondent herein namely Maheswaran in the matter relating to their money dispute which is sub-judice in O.S.N.280 of 2018 on the file of the Sub Court, Srivilliputhur.

2. Heard learned counsel appearing for the petitioner and learned Additional Public Prosecutor for the respondent and perused the materials placed on record.

3. The learned Additional Public Prosecutor appearing for the respondent police submits that against the petitioner, petition enquiry is pending in C.S.R. No.325 of 2018 on the file of the 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, first 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(AS)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Inspector of Police,
North Police Station,
Rajapalayam Town,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.M.Thirunavukkarasu, Advocate, SR.No.81968

Order made in
Cr1.O.P.(MD)No.15744 of 2018
04.09.2018

STS
ES/SKN/RSK/SAR 2/04.10.2018/2P/4C