



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2018

CORAM

**THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH**

CRL.O.P. (MD) No.16257 of 2018

WEB COPY

T.Raveendran

... Petitioner

Vs

1. The Superintendent of Police,  
Kanyakumari District,  
Nagercoil.

2. The Inspector of Police,  
The District Crime Branch,  
Nagercoil,  
Kanyakumari District.

3. A.Ayyadurai

... Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the respondents not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.S.C.Herold Singh

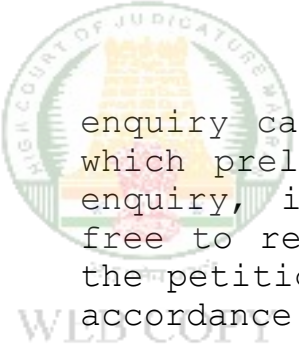
For R1 & R2 : Mr.M.Chandrasekaran  
Additional Public Prosecutor**O R D E R**

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

2.Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for R1 and R2.

3.The learned Additional Public Prosecutor appearing for the respondent police submits that on the complaint given by the defacto complainant against the petitioner, petition enquiry is pending in DSP/DCB/90/online/18, dated 06.09.2018 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, respondents are 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 directions, the Criminal Original Petition is closed.

Sd/-  
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Superintendent of Police,  
Kanyakumari District,  
Nagercoil.
2. The Inspector of Police,  
The District Crime Branch,  
Nagercoil,  
Kanyakumari District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to Mr.S.C.Herold Singh, Advocate Sr.No.83446

RMI

VB/RP/SAR1/01.10.2018/2P/5C

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