



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD]No.17384 of 2018

Manivarma

: Petitioner

Vs.

1.State through
The Deputy Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Thirunagar Police Station,
Madurai.

3.Karthikeyan

: Respondents

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

For Petitioner : Mr.S.Pakalavan
For R-1 : Mr.M.Chandra Sekaran
Additional Public Prosecutor

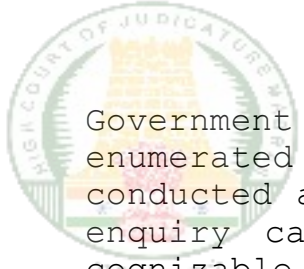
O R D E R

This Criminal Original Petition has been filed to direct the respondent Police not to harass the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor for the respondent Police.

3. The learned Additional Public Prosecutor appearing for the respondent Police submits that on the complaint given by the third respondent against the petitioner, petition enquiry is pending in C.S.R. No.191 of 2018.

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, the 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(AD-II)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1.The Deputy Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Thirunagar Police Station,
Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

RMK

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