



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.16819 of 2018

Meenakumari

... Petitioner

Vs.

1. The Superintendent of Police
Dindigul District
Dindigul

2. The Inspector of Police
Thandikudi Police Station
Dindigul District

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents not to harass the petitioner under the guise of enquiry pursuant to the complaint of the petitioner dated 13.07.2018.

For Petitioner	: Mr.K.Kulanthai Vikram
For Respondents	: Mr.K.Suyambulinga Bharathi Government Advocate(Crl.Side)

ORDER

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

2. Heard learned counsel appearing for the petitioner and learned Government Advocate(Crl.Side) for the respondents.

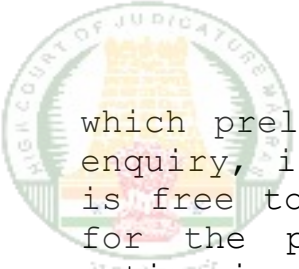
3. The learned AGovernment Advocate(Crl.Side) appearing for the respondent police submits that on the complaint given against the petitioner, petition enquiry is pending on the file of the second respondent police.

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**

<https://hcservices.ecourts.gov.in/hcservices/>

(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(AD-II)

/True Copy/

Sub Assistant Registrar(Cs-IV)

To

1. The Superintendent of Police
Dindigul District
Dindigul
2. The Inspector of Police
Thandikudi Police Station
Dindigul District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.K.Kulanthai Vikram, Advocate Sr.No.85770

AAV

VB/RP/SAR4/31.10.2018/2P/5C

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