



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 26.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
Crl.O.P. (MD) .No.17150 of 2018

C.P.Ramraj

...Petitioner

Vs.

1.The Commissioner of Police,
Madurai City, Madurai-2.

2.The Assistant Commissioner of Police,
Annanagar Region, Annanagar,
Madurai-20.

3.The Inspector of Police,
Mathichiyam Police Station,
Mathichiyam, Madurai-20.

4.R.Alagar @ Selva

5.C.P.Sarasingh

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the 3rd respondent not to harass the petitioner and his family member on the basis of the petitioner's complaint dated 19.09.2018.

For Petitioner

:Mr.A.Jeyaram

For R1 to R3

:Mr.M.Chandra Sekaran

Additional Public Prosecutor

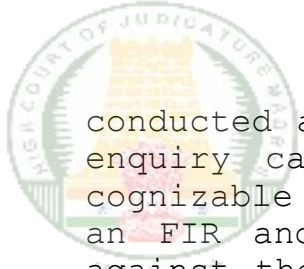
O R D E R

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

2.Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the official respondents.

3.The learned Additional Public Prosecutor appearing for the respondent police submits that on the complaint given by the fourth respondent against the petitioner, petition enquiry is pending in C.S.R.No.195 of 2018 on the file of the third 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, third 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 directions, the Criminal Original Petition is closed.

Sd/
Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar (CS-I)

To

1. The Commissioner of Police,
Madurai City, Madurai-2.
2. The Assistant Commissioner of Police,
Annanagar Region, Annanagar,
Madurai-20.
3. The Inspector of Police,
Mathichiyam Police Station,
Mathichiyam, Madurai-20.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr. A. Jeyaram, Advocate, SR.No.87046

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DAS
KK/RP/SAR-1/28.09.2018/2P-6C