



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P. (MD).No.21060 of 2018

L.S.Soundarrajan

.. Petitioner

Vs.

1. State represented by The Inspector of Police,
All Women Police Station,
Thirupparankundram, Madurai.

.. 1st Petitioner

2. Chitra Shoba

.. 2nd Respondent/Defacto
complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the respondent not to harass the petitioner based on the complaint given by the defacto complainant.

For Petitioner	: Mr.N.Balakrishnan
For Respondent 1	: Mr.R.Anandharaj
	Additional Public Prosecutor

O R D E R

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

2. Heard learned Counsel for the petitioner.

3. The learned Additional Public Prosecutor would submit that the case is pending in C.S.R.No.885 of 2018 against the petitioner, petition enquiry is pending 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 directions, the Criminal Original Petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Inspector of Police,
All Women Police Station,
Thirupparankundram, Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

TM

TE/BK/SAR-4 : 24/12/2018 : 2P/3C

Cr1.O.P. (MD) .No.21060 of 2018
29.11.2018