



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.10.2018
CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P. (MD) No.17467 of 2018

Maheswari

... Petitioner

Vs.

1.State represented by
The Superintendent of Police,
Theni District,
Theni.

2.State represented by
The Inspector of Police,
Theni Police Station,
Theni.

3.Murugesan

4.Gokila

5.Mani

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents 1 and 2 to give necessary police protection to the life and limb of the petitioner and her family members and their properties, based on the petitioner's representation dated 20.08.2018 to the first respondent.

For Petitioner : Mr.R.Shankar Ganesh

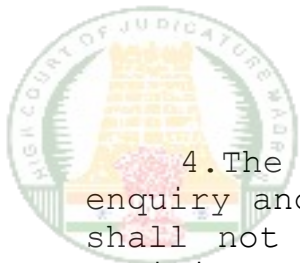
For R1 & R2 : Mr.M.Chandrasekaran
Additional Public Prosecutor

ORDER

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

2.Heard learned counsel appearing for the petitioner and the learned Additional Public Prosecutor for the respondents 1 and 2.

3.The learned Additional Public Prosecutor appearing for the respondent police submits that on the complaint against the petitioner, petition enquiry is pending in C.S.R.No.447 of 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, 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(CO)

/True Copy/

Sub Assistant Registrar(CS-I)

To

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

Crl.O.P.(MD)No.17467 of 2018
01.10.2018

MM
ES/SV/SAR 1/15.10.2018/2P/4C