



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 09.10.2018  
CORAM  
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD) No.17990 of 2018

Manikandan

... Petitioner/Aggrieved Person

Vs.

1. The Commissioner of Police  
Madurai City
2. The Assistant Commissioner of Police  
Tallakulam  
Madurai City
3. The Inspector of Police  
Anna Nagar Police Station  
Madurai City
4. The Sub Inspector of Police  
Anna Nagar Police Station  
Madurai City
5. M.Kannan
6. S.Ruthi Murugan

...Respondents/Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct Sub Inspector of Police, Anna Nagar Police Station, Madurai City not to interfere into the petitioner's peaceful running of business in the name and style of "Heads up" at Door No.315, 80 feet Road, Anna Nagar, Madurai.

For Petitioner : Mr.Dr.A.Devaraju

For Respondents : Mr.K.Suyambulinga Bharathi  
No.1 to 4 Government Advocate(Crl.Side)

**ORDER**

This Criminal Original Petition has been filed to direct the first respondent herein to direct the fourth respondent herein not to interfere into the petitioner's peaceful running of business in the name and style of "Heads up" at Door No.315, 80 feet Road, Anna Nagar, Madurai.

2. Heard learned counsel appearing for the petitioner and learned Government Advocate(Crl.Side) for the respondents 1 to 4.



3. The learned Government Advocate(Crl.Side) appearing for the respondent police submits that on the complaint given against the petitioner, petition enquiry is pending in C.S.R. No.808 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 direction, this Criminal Original Petition is closed.

Sd/-  
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Commissioner of Police, Madurai City
2. The Assistant Commissioner of Police  
Tallakulam, Madurai City.
3. The Inspector of Police  
Anna Nagar Police Station, Madurai City.
4. The Sub Inspector of Police  
Anna Nagar Police Station  
Madurai City
5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.(MD) No.17990 of 2018  
09.10.2018

AAV

ES/SKN/RSK/SAR 1/15.10.2018/2P/6C

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