



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2018

CORAM

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P. (MD) No.17906 of 2018

Chellammal

... Petitioner

Vs.

1.The Inspector of Police,
Keelathooval Police Station,
Ramnad District.

2.Seenivasan

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent not to harass the petitioner under the guise of enquiry on the basis of the complaint of the second respondent.

For Petitioner
For R1

: Mr.D.Venkatesh
: Mr.M.Chandra Sekaran
Additional Public Prosecutor

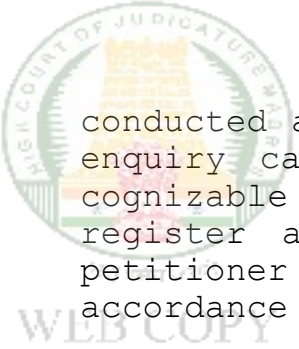
ORDER

This Criminal Original Petition has been filed to direct the first respondent not to harass the petitioner under the guise of enquiry on the basis of the complaint of the second respondent.

2.Heard learned counsel appearing for the petitioner and learned Additional Public Prosecutor for the first respondent.

3.The learned Additional Public Prosecutor appearing for the respondent Police submitted that on the complaint given by the second respondent against the petitioner, petition enquiry is pending in C.S.R. No.187 of 2018 on the file of the first respondent.

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 Inspector of Police,
Keelathooval Police Station,
Ramnad District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.D.Venkatesh, Advocate, SR.No.89235

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KK/RP/SAR-1/17.10.2018/2P-4C