



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.17992 of 2018

B.Annapoorani

... Petitioner/Aggrieved Person

Vs.

1. The Commissioner of Police
Tirunelveli District

2. The Inspector of Police
All Women Police Station
Palayamkottai
Tirunelveli

3. Prabha ...Respondents/Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the Inspector of Police, All Women Police Station, Palayamkottai, Tirunelveli not to harass the petitioner under the grab of holding up an enquiry.

For Petitioner : Mr.R.Anand

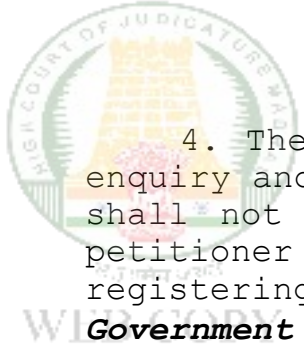
For Respondents : Mr.K.Suyambulinga Bharathi
No.1 and 2 Government Advocate(Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the Inspector of Police, All Women Police Station, Palayamkottai, Tirunelveli not to harass the petitioner.

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

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.No.64/AWPS Palai/TIN-c/185 on the file of the second 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-II)

To

1. The Commissioner of Police
Tirunelveli District
2. The Inspector of Police
All Women Police Station
Palayamkottai
Tirunelveli
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P.(MD)No.17992 of 2018
09.10.2018

AAV

TR/RSK/SAR-II(15.10.2018)2P 4C