



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 12.10.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH  
Crl.O.P. (MD) No.18298 of 2018

WEB COPY

1.K.Muthuraman

2.Chandra

... Petitioners

Vs.

1.The Inspector of Police,  
All Women Police Station,  
Settur,  
Virudhunagar District.

2.Pandeeswari

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the first respondent herein not to harass the petitioners under the guise of enquiry.

For Petitioners : Mr.A.S.Rajeswari  
For R1 : Mr.M.Chandrasekaran  
Additional Public Prosecutor

ORDER

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

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

3.The learned Additional Public Prosecutor appearing for the respondent police submits that on the complaint against the petitioners, petition enquiry is pending in C.S.R.No.312 of 2018 on the file of the respondent police.

4.The petitioners are directed to cooperate with the police for enquiry and at the time of conducting of the enquiry, the petitioners shall not be harassed by the police. The police cannot call the petitioners 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 petitioners against the respondent proceeding to take action in accordance with law.

5. With the above direction, this Criminal Original Petition is closed.

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/True copy/

Sd/  
Assistant Registrar (CS-II)

Sub Assistant Registrar (CS-IV)

To

1. The Inspector of Police,  
All Women Police Station,  
Settur,  
Virudhunagar District.

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

+1cc to Mr. A. S. Rajeswari, Advocate, SR.No.90298

Cr1.O.P. (MD) No.18298 of 2018  
12.10.2018

MM  
KK/SV/SAR-4/15.11.2018/2P-4C