

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.953 of 2019

1.Ranjini Priyadharsini
2.Ramesh Rajamani

...Petitioners

Vs.

The Inspector of Police,
District Crime Branch,
O/o.The Superintendent of Police,
Tiruvallur, Tiruvallur District. ...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent not to harass the petitioners in the guise of registering false case.

For Petitioners: Mr.C.Prakasam

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondent police not to harass the petitioners in the guise of registering false case.

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

3. The learned Additional Public Prosecutor appearing for the respondent police submits that on the complaint given by the defacto complainant against the petitioner, petition enquiry is pending in C.No.35 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, third 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 directions, the Criminal Original Petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

rpl/dh

To

1. The Inspector of Police,
District Crime Branch,
O/o. The Superintendent of Police,
Tiruvallur, Tiruvallur District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Prakasam, Advocate Sr.6601

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srg 13/02/2019

सत्यमेव जयते

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