

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.05.2019

CORAM

THE HONOURABLE Mr.JUSTICE A.D.JAGADISH CHANDIRA

CRL.OP.No.13278 of 2019

1.Bakayaraj
2.Balraj
3.Premavathi
4.Jeevitha

.... Petitioners
Vs

State Rep by
Inspector of Police
District Crime Branch
O/o. Superintendent of Police
Krishnagiri District. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to issue a direction directing the respondent, not to harass the petitioners.

For Petitioners : Mr.V.Thillai Kumar

For Respondent : Mrs.P.Kritika Kamal,
Govt. Advocate (Crl. Side)

O R D E R

This petition has been filed seeking for a direction not to harass the petitioners.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent police.

3.The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that on the complaint given by one Deepa against the petitioners, petition enquiry is pending in C.No.143/DCB/SP-KGI/2019 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 the Hon'ble 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, the respondent police is free to register an FIR and this order shall not be a shield for the petitioners against the respondents proceeding to take action in accordance with law.

5. With the above directions, the Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

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

2. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr. V. Thillai Kumar, Advocate Sr. No. 44049

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nrl(co)
mp(21/05/2019)

सत्यमेव जयते

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