

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.14448 of 2019

Manimala

...Petitioner

Vs.

1.The State rep.by,
The Assistant Commissioner of Police,
Egmore Police Station,
Chennai - 600 008.

2.The Inspector of Police, (Crime)
F2 Egmore Police Station,
Chennai 600 008.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondent and his subordinates not to harass the petitioner, her workmen or family members.

For Petitioner : Mr.R.Sreerangan

For Respondents : Mr.C.Raghavan
Government Advocate

ORDER

This Criminal Original Petition has been filed seeking for a direction to the respondent and his subordinates not to harass the petitioner, her workmen or family members.

2.Heard the learned Counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondents.

3.The learned Government Advocate (Criminal Side) appearing for the respondent police submits that on the complaint given against the petitioner and the respondent police issued summons dated 11.05.2019 to the petitioner.

4.The petitioner is directed to co-operate 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 following the guidelines by 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 is free to register an FIR and this order shall not be a shield for the petitioner against the respondent Police proceeding to take action in accordance with law.

5.With the above directions, the Criminal Original Petition is closed.

Sd/-
Deputy Registrar (CJ Conf.)

//True Copy//

Sub Assistant Registrar

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To

1.The Assistant Commissioner of Police,
Egmore Police Station,
Chennai - 600 008.

2.The Inspector of Police, (Crime)
F2 Egmore Police Station,
Chennai 600 008.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Sreerangan, Advocate, S.R.No.45548

VBA(CO)
CB(04/07/2019)

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