



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.15648 of 2019

A.Thirulog Chanderr

... Petitioner

Vs.

The Inspector of Police,
K-2, Ayanavaram Police Station,
Ayanavaram,
Chennai - 600 023.

... Respondent

PRAYER:

Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent police not to harass the petitioner by way of false case against him.

For Petitioner :Mr.M.Shreedhar

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

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the respondent police not to harass the petitioner under the guise of enquiry.

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

3.The learned Additional Public Prosecutor appearing for the respondent would submit that based on the complaint given by the de facto complainant against the petitioner, petition enquiry is pending in C.S.R.No.181 of 2019 on the file of the 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, the 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 directions, the Criminal Original Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rka/msrm

To

1. The Inspector of Police,
K-2, Ayanavaram Police Station,
Ayanavaram,
Chennai - 600 023.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Shreedhar, Advocate, S.R.No.56251

Crl.O.P.No.15648 of 2019

PPA(CO)
CS/13/08/2019