

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 21.06.2019

CORAM
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.15266 of 2019

M.Chandrasekar

.. Petitioner

-vs-

The Inspector of Police,
Kundrathur Police Station,
Chennai-600 069.

.. Respondent

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent, not to harass the petitioner's family members by appreciating the facts and circumstances of the case.

For Petitioner : Mr.R.Jayaprakash

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

ORDER

This Criminal Original Petition has been filed to direct the respondent, not to harass the petitioner's family members by appreciating the facts and circumstances of the case.

2.Heard learned Counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of 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.112 of 2019 on the file of the respondent police.

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 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

To

1. The Inspector of Police,
Kundrathur Police Station,
Chennai-600 069.

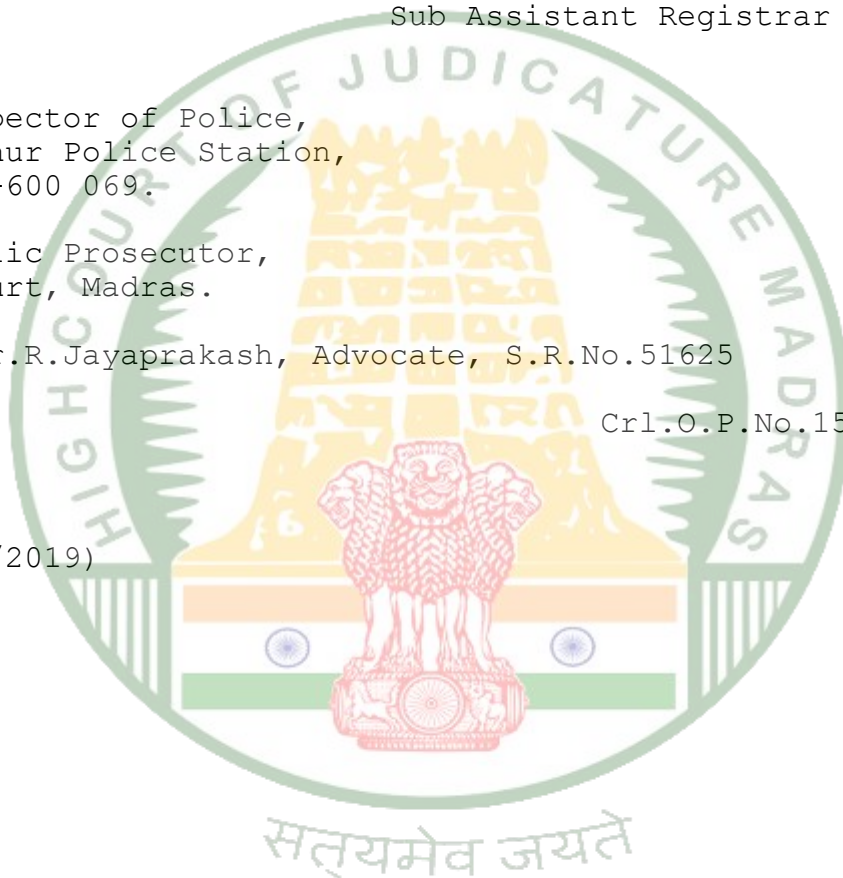
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr. R. Jayaprakash, Advocate, S.R.No.51625

CrI.O.P.No.15266 of 2019

VD(CO)

RRS (11/07/2019)



WEB COPY