



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.15664 of 2019

Kanagavalli

... Petitioner

Vs.

The Inspector of Police,
Viruthachalam Police Station,
Cuddalore District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to give direction to the respondent to not to harass the petitioner and her sister family.

For Petitioner : Mr.V.Gunasekar

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

O R D E R

This Criminal Original Petition has been filed to direct the respondent to not to harass the petitioner and her sister family.

2. Heard learned counsel appearing on behalf of the learned Additional Public Prosecutor for the respondent.

3. The learned Additional Public Prosecutor appearing for the respondent police submits that on the complaint given respondent herein against the petitioner, petition enquiry is pending in C.S.R. No.375 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, second 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 direction, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

jas/ub

To

1.The Inspector of Police,
Viruthachalam Police Station,
Cuddalore District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.Gunasekar, Advocate Sr.53834

Cr1.O.P.No.15664 of 2019

sj[co]
srg 13/08/2019