

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.16047 of 2019

P.Jackulin

.. Petitioner

-vs-

State Rep. by  
The Inspector of Police,  
Law and Order,  
T-1, Ambattur Police Station,  
Tiruvallur District.

.. Respondent

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to issue the direction to the respondent police for not to harass and not to disturb the petitioner and her family.

For Petitioner : Mr.K.Ashok Kumar

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

ORDER

This Criminal Original Petition has been filed seeking to issue the direction to the respondent police for not to harass and not to disturb the petitioner and her family.

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 police submits that on the complaint given by the defacto complainant against the petitioner, petition enquiry is pending in summons No.1818/2018, dated 24.11.2018 issued by 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/-  
Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

vs/jas

To

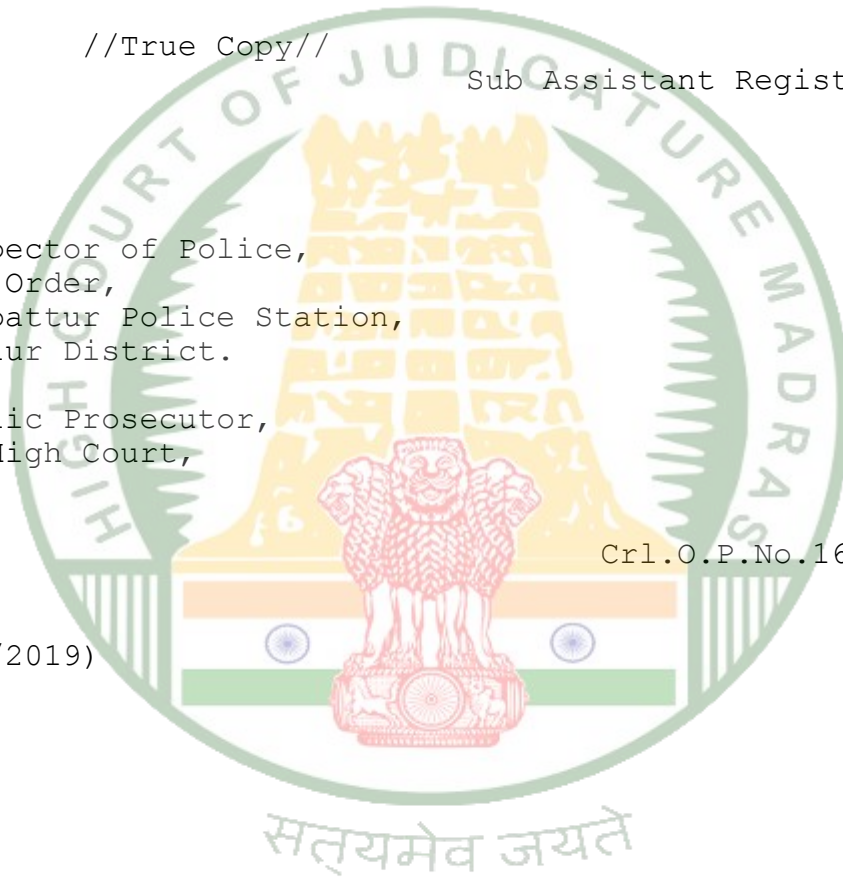
1. The Inspector of Police,  
Law and Order,  
T-1, Ambattur Police Station,  
Tiruvallur District.

2. The Public Prosecutor,  
Madras High Court,  
Chennai.

Crl.O.P.No.16047 of 2019

NMI (CO)

RRS (16/07/2019)



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