

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.16516 of 2019

Georges Adorine

.. Petitioner

-vs-

1.The Superintendent of Police,
Villupuram District,
Villupuram.

2.The Inspector of Police,
District Crime Branch,
Villupuram.

.. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents not to harass the petitioner in the name of enquiry.

For Petitioner : Mr.Elangovan V.

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

ORDER

This Criminal Original Petition has been filed seeking to direct the respondents not to harass the petitioner in the name of enquiry.

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

3.The learned Additional Public Prosecutor appearing for the respondents police submits that on the complaint given by the defacto complainant against the petitioner, petition enquiry is pending in C.No.P2/224/DSP/DCB/VPM/19, issued by the 2nd 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 respondents are free to register an FIR and this order shall not be a shield for the petitioner against the respondents proceeding to take action in accordance with law.

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

-s/d-
Deputy Registrar

True Copy

Sub-Assistant Registrar

vs/jas

To

1. The Superintendent of Police,
Villupuram District,
Villupuram.
 2. The Inspector of Police,
District Crime Branch,
Villupuram.
 3. The Public Prosecutor,
High Court, Madras.
- +1 CC to Mr.V. Elangovan, Advocate sr 52697

सत्यमेव जयते

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KK(CO)
SP(15/07/2019)

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