



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. No.16825 of 2019

Hemanth Metha

... Petitioner

Vs.

State Rep. by

1. The Deputy Commissioner of Police,
Central Crime Branch,
Vepery, Chennai District.

2. The Assistant Commissioner of Police,
EDF-I Wing,
Central Crime Branch,
Vepery, Chennai

3. The Inspector of Police,
EDF -I, Wing,
Central Crime Branch,
Vepery, Chennai

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent police not to harass the petitioner except due process of Law.

For Petitioner	: Mr.Meenakshi Sundaram SP
For Respondents	: Mr.M.Mohamed Riyaz Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the second respondent and his officials not to harass the petitioner in the guise of enquiry.

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

3. The learned Additional Public Prosecutor appearing for the respondent police submits that the petition enquiry is pending in C.No.2655 of 2019 on the file of the third 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, third 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(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Deputy Commissioner of Police,
Central Crime Branch,
Vepery, Chennai District.
2. The Assistant Commissioner of Police,
EDF-I Wing,
Central Crime Branch,
Vepery, Chennai
3. The Inspector of Police,
EDF -I, Wing,
Central Crime Branch,
Vepery, Chennai



4.The Additional Public Prosecutor,
High Court, Madras.

WEB COPY

+1cc to Mr.S.P.Meenakshi Sundaram, Advocate sr.57066

CrI.O.P. No.16825 of 2019

rr(co)
nr 06/08/2019