

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.17525 of 2019

Geetha

.. Petitioner

-vs-

Inspector of Police,
E-1 Police Station,
Mylapore,
Chennai-600 004.

... Respondent

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the Respondent not to harass the Petitioner herein in any manner whatsoever based on the Complaint dated 27.06.2019.

For Petitioner : M/s.Nithyaesh
for M/s. Nithyesh & Vaibhav
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to direct the Respondent not to harass the Petitioner herein in any manner whatsoever based on the Complaint dated 27.06.2019.

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 of one Anita given against the petitioner, an enquiry is being conducted 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 the 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-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

vs/jas

To

1. The Inspector of Police,
E-1 Police Station,
Mylapore,
Chennai-600 004.

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

+3 CCS to M/s. Nithyesh and Vaibhav, Advocate sr 55685.

Crl.O.P.No.17525 of 2019

SJ(CO)

SP(09/07/2019)

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