

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P. No.19448 of 2019

N.Jayaprakash

... Petitioner

Vs.

The Inspector of Police,
H-6, R.K.Nagar Police Station,
Manali Salai, Korukkupet,
Chennai-600 021.

... Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to pass a direction not to harass the petitioner.

For Petitioner : Mr.K.Bommuraj

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

ORDER

This Criminal Original Petition has been filed to pass a direction not to harass the petitioner.

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

3. The learned Additional Public Prosecutor appearing for the respondent police submits that the petition enquiry is pending on the file of 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, 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(CS VIII)

//True Copy//

Sub Assistant Registrar

vs/jas

To

1.The Inspector of Police,
H-6, R.K.Nagar Police Station,
Manali Salai, Korukkupet,
Chennai-600 021.

2.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.19448 of 2019

cp(co)
nr 28/08/2019

सत्यमेव जयते
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