

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.21003 of 2019

D.Anju

... Petitioner

Vs.

The Inspector of Police,
S5, Pallavaram Police Station,
Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondent herein viz., the Inspector of Police, Pallavaram Police Station, Chennai - 43, not to harass the petitioner unnecessarily.

For Petitioner :M/s.G.Mohana Krishnan

For Respondent :Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed seeking to direct the respondent herein viz., the Inspector of Police, Pallavaram Police Station, Chennai - 43, not to harass the petitioner unnecessarily.

2.Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the respondent police.

3.The learned Counsel appearing for the petitioner submits that the respondent police harassed the petitioner under the guise of enquiry.

4.The learned Additional Public Prosecutor appearing for the respondent police submits that on the complaint given by one Arun against the petitioner, petition enquiry is pending.

5.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, respondent is free to register an FIR and this order shall not be a shield for the petitioners against the respondent proceeding to take action in accordance with law.

6. This Criminal Original Petition is disposed of with the above direction.

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

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To

1.The Inspector of Police,
S5, Pallavaram Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.G. Mohana Krishnan, Advocate sr 67302.

Crl.O.P.No.21003 of 2019

NRJK(CO)
SP(12/09/2019)

सत्यमेव जयते

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