

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2019

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.24042 of 2019

1. Mr.T.Mohammed Imran Khan
2. Mrs.H.Ameena Begum

... Petitioners

Vs

1. The State
Rep. by Inspector of Police,
J7-Police Station,
Velachery.

2. Mrs.Raina Boopathy

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st respondent not to harass the petitioners.

For Petitioners: MS.Rohini Ravikumar

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

ORDER

This Criminal Original Petition is filed to direct the 1st respondent not to harass the petitioners.

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

3. The learned Additional Public Prosecutor appearing for the respondents police submits that on the complaint given by the petitioner, enquiry is pending in CSR.No.386 of 2019 on the file of the 1st respondent.

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 . The Hon'ble 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, 1st 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 directions, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

jrs/hvk

To

1. The Inspector of Police,
J7-Police Station,
Velachery.

2. The Public Prosecutor,
High Court , Madras.

+1cc to Ms.Rohini Ravikumar, Advocate SR.76804

Crl.O.P.No.24042 of 2019

LN(CO)
CB(22/10/2019)

सत्यमेव जयते

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