



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P. (MD)No.5584 of 2019

Farook Mohamed

: Petitioner

Vs.

1. Vasudevan,
The Inspector of Police,
Pudukkottai Town Police Station,
Pudukkottai Town & Taluk,
Pudukkottai District.

2. Paramasivam

: Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent not to interfere into the civil dispute regarding the S.F.No.44/7A/1A1 of Kavinadu West Village, Pudukkottai Taluk and District without any order of any competent court.

For Petitioner

: Mr.K.Baalasundharam

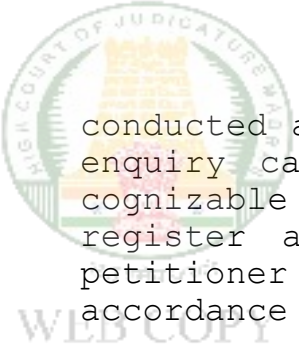
ORDER

This Criminal Original Petition has been filed seeking for a direction to the first respondent not to interfere into the civil dispute regarding the S.F.No.44/7A/1A1 of Kavinadu West Village, Pudukkottai Taluk and District.

2. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the official respondents.

3. The learned Government Advocate (Criminal Side) would submit that the current paper is pending in C.S.R.No.92/2019, against the petitioner, 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 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, second 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, the Criminal Original Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Inspector of Police,
Pudukkottai Town Police Station,
Pudukkottai Town & Taluk,
Pudukkottai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.K.BAALASUNDHARAM, Advocate (SR-61334[F] dated 16/04/2019)

Cr1.O.P. (MD) No. 5584 of 2019
15.04.2019

das

AE (26.04.2019) 2P 4c