

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.161 of 2021

1. Valarmathy
 2. Sudhakar
- .. Petitioners

-VS-

1. The Superintendent of Police,
Cuddalore, Cuddalore District.
 2. The Sub Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.
- .. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent not to harass the petitioners.

For Petitioners : Mr.K. Thenrajan

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

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ORDER

This Criminal Original Petition has been filed seeking for a direction to direct the Respondents not to harass the Petitioners.

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

3.The learned Additional Public Prosecutor appearing for the respondent police submits that on a complaint given by the one Valarmathi, W/o.Thangaraj, a case pertaining to elopement was registered against the petitioners, on which, petition enquiry is pending on the file of the respondent police.

4.The petitioners are directed to co-operate with the police for enquiry and at the time of conducting of the enquiry, the petitioners shall not be harassed by the police. The police cannot call the petitioners 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 petitioners against the respondents proceeding to take action in

accordance with law.

5.With the above directions, the Criminal Original Petition is closed.

08.01.2021

Index :Yes/No
Internet : Yes/No
msr

To

1. The Superintendent of Police,
Cuddalore, Cuddalore District.

2. The Sub Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.

3.The Public Prosecutor,
High Court, Madras.

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or.made in CrI.OP.161/2021, dt. 8.1.2021

N.ANAND VENKATESH,J.

msr



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