

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2021

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.8916 of 2021

1.K.Ravichandran
2.Dilipkumar K

... Petitioners

Vs.

The Inspector of Police (Crime),
J 11 Kannagi Nagar Police Station,
Kannagi Nagar, Thoraipakkam,
Chennai - 600 097.

.... Respondents

PRAYER: Criminal Original petition has been filed under Section 482 of Cr.P.C, praying to direct the respondent police not to harass and refrain from indulging in the matter pertaining to civil dispute.

For Petitioner : Mr. S.Kathiravan

For Respondents: Mr. A.Damodaran

Counsel for Government of Tamil Nadu
(Criminal side)

ORDER

This petition has been filed to direct the respondent police not to harass the petitioners.

2.Heard learned counsel for the petitioners and the learned counsel for the Government of Tamilnadu (Crl.Side).

3.The learned counsel for the Government of Tamilnadu (Crl.Side) submits that on the complaint given by the defacto complainant against the petitioners, enquiry is pending in C.S.R .No.198 of 2021 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 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.

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

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

bkn

To

1. The Inspector of Police (Crime),
J 11 Kannagi Nagar Police Station,
Kannagi Nagar, Thoraipakkam,
Chennai - 600 097.

2. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.8916 of 2021

BR(CO)
CB(09/07/2021)

सत्यमेव जयते

WEB COPY