

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.18165 of 2020

P.Vishnu Raghav,
S/o.A.S.Padhmanaban.

.. Petitioner

-vs-

1.The Commissioner of Police,
Veppery, Chennai-7.

2.The Sub-Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai 600 094.

..Respondents.

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the Respondent not to harass the Petitioner.

For Petitioner : Mr.M.Balaji

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

ORDER

This Criminal Original Petition has been filed seeking for a direction to direct the respondent police not to harass the Petitioner in the name of enquiry without due process of law.

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

3.The learned Additional Public Prosecutor appearing for the respondents Police submitted that as against the petitioner three complaints have been received. On the complaint given by one Archana, Manjula and Vinoth Kannan, petition enquiry is pending in CSR.No.972 of 2020, 973 of 2020 and 1017 of 2020 respectively, on the file of the 2nd 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 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 petitioner against the respondents proceeding to take action in accordance with law.

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

Sd/-
Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

rm

To

1. The Commissioner of Police,
Veppery, Chennai-7.

2. The Sub-Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai 600 094.

3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.18165 of 2020

A.SK(20.01.2021)

सत्यमेव जयते

WEB COPY