



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.05.2022

CORAM

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P.No.11303 of 2022

Dr.R.Prashanth

... Petitioner

Vs.

The Inspector of Police,
K4-Anna Nagar Police Station,
Chennai - 600 102.

... Respondent

Prayer : Criminal Original Petition filed under Section 482
Cr.P.C. to direct the respondent police not to harass the
petitioner.

For Petitioner : Mr.R.Thamarai Selvan

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct
the respondent police not to harass the petitioner.

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

3.The learned Additional Public Prosecutor appearing for
the respondent police submits that on the complaint given by
the defacto complainant against the petitioner, petition
enquiry is pending in C.S.RNo.240 of 2022 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 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 (Vacation Officer)

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//True Copy//

Sub Assistant Registrar

ssr
To

1. The Inspector of Police,
K4-Anna Nagar Police Station,
Chennai - 600 102.

2. The Public Prosecutor,
Madras High Court,
Chennai.

+1 cc to Mr. R. Thamarai Selvan ., Advocate Sr. NO. 31585
CrI.O.P.No.11303 of 2022

rgn (CO)
A.SK (27/05/2022)