



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.05.2022

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.11507 OF 2022

Sugumaran

... Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai.
2. The State by Inspector of Police,
W-18, All Women Police Station,
M.K.B. Nagar, Viyasarpadi,
Chennai.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents not to harass the petitioner, his mother and his sisters family on the complaint given by his wife Geethalakshmi as sought in his representation dated 04.05.2022.

For Petitioner : Mr.K.C.Karl Marx

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

ORDER

This Criminal Original Petition has been filed to direct the respondents not to harass the petitioner, his mother and his sister's family on the complaint given by his wife Geethalakshmi, as sought for in his representation dated 04.05.2022.

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



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.206 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

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai.
2. The Inspector of Police,
W-18, All Women Police Station,
M.K.B. Nagar, Viyasarpadi,
Chennai.
3. The Public Prosecutor,
Madras High Court, Chennai.

+1cc to M/s.K.C.Karl Marx, Advocate, S.R.No.31578

Cr1.O.P.No.11507 of 2022

KV(CO)
RLP(26/05/2022)