



CrI OP No.7170 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No. 7170 of 2023

S.J.Anitha

... Petitioner

Versus

The State rep by Inspector of Police
District Crime Branch,
Cuddalore District,
Cuddalore.

... Respondent

PRAYER : Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code, to direct the respondent not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr. R.Radha Pandian

For Respondent : Mr. S.Santhosh
Government Advocate (CrI. Side)



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ORDER

It is alleged by the petitioner that she has been harassed by the respondent based on the alleged complaint given by one Udhayaraj.

2. The learned Government Advocate (Crl. Side) submits that an enquiry is pending on the basis of the complaint given by one Udhayaraj and that the respondents would not harass the petitioner.

3. This Court is of the view that the petitioner shall not be harassed in the guise of an enquiry. If the respondent intends to conduct an enquiry they shall follow the following guidelines:

“a) While summoning any person named in the complaint or any witness to the incident complained of, the police officer shall summon such person through a written summon under Section 160 Cr.P.C., specifying a particular date and time for appearing before them for such an enquiry/investigation.

b) The respondent/Police is directed to serve



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*summons mentioning the CSR number, date of complaint
and the name of the complainant.*

*c) The minutes of the enquiry shall be recorded in
the general diary/station diary/daily diary of the police
station.*

*d) The police officer shall refrain himself or
herself from harassing persons called upon for
enquiry/investigation.*

*e) The guidelines stipulated for preliminary
enquiry or registration of FIR by the Hon[&]ble
Supreme Court in Lalita Kumari Vs. Government of
Uttar Pradesh and others [2014 (2) SCC (1)] shall be
strictly adhered to.*

f) If any cognizable offence is committed, then it is



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*open to the respondent police to take appropriate action
or else they should not interfere with the civil dispute
between the parties.*

4. With the above observation, the petition is allowed. No costs.

31.03.2023

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Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No



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To

The Inspector of Police
District Crime Branch,
Cuddalore District,
Cuddalore.



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SUNDER MOHAN, J

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