



WEB COPY



Criminal Original Petition No.15003 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 06.07.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Criminal Original Petition No.15003 of 2023**

Prabhu Manikandan  
S/o.Moorthy

...Petitioner

Vs

The State of Tamil Nadu  
represented by Inspector of Police,  
Cyber Crime Police Station,  
Salem City, Salem.

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to direct the respondent not to harass the petitioner in any way.

For Petitioner : Mr.K.S.Karthik Raja

For Respondent : Mr.A.Damodaran  
Additional Public Prosecutor

\*\*\*\*\*

**ORDER**

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



2. Heard learned counsel for petitioner and learned Additional Public

Prosecutor appearing on behalf of respondent.

3. Learned Additional Public Prosecutor appearing for the respondent submits that on the complaint given by the *de facto* complainant against the petitioner, petition enquiry is pending in CSR No.400 of 2023 dated 21.04.2023 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 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 respondent is free to register an FIR and this order shall not be a shield for the petitioner against the respondent proceeding to take action in accordance with law.



Criminal Original Petition No.15003 of 2023

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

WEB COPY

**06.07.2023**

Index : Yes/No  
Speaking order: Yes/No  
Neutral citation: Yes/No  
gm

To

1.The Inspector of Police,  
Cyber Crime Police Station,  
Salem City, Salem.

2.The Public Prosecutor,  
High Court, Madras.



WEB COPY



Criminal Original Petition No.15003 of 2023

**N.ANAND VENKATESH, J**

gm

**Criminal Original Petition No.15003 of 2023**

**06.07.2023**