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Crl.O.P. No.15484 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. No.15484 of 2023

Barath Janakiram, L.

...Petitioner

Vs

The State Represented by
Inspector of Police,
T-14, Pallikaranai Police Station,
4/908, Cheran Street, Ambedkar Nagar,
Jalladianpet, Medavakkam,
Chennai – 600 100.

... Respondent

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

For Petitioner : Mr.Rahul Jagannathan

For Respondent : Mr.A.Damodaran
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.



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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 de-facto complainant against the petitioner, petition enquiry is pending in C.No.1978/019017/COP/TCP/23 dated 23.06.2023 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 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 respondent is free to register an FIR and this order shall not be a shield for the petitioner against



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the respondent proceeding to take action in accordance with law.

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

11.07.2023

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

To

1. The Inspector of Police,
T-14, Pallikaranai Police Station,
4/908, Cheran Street, Ambedkar Nagar,
Jalladianpet, Medavakkam,
Chennai – 600 100.

2. The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH, J



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