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1 of 4

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.15885 of 2023

Murali Shankar

Petitioner

vs.

The State rep. by
The Inspector of Police,
CCB, Entrustment of Document Fraud Wing, Team-3,
Tambaram Corporation limit,
Sholinganallur,
Chennai – 600 119.

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent not to harass the petitioner in the name of enquiry C.No.63/DC CCB-TBM/COP(T) 2023 dated 09.06.2023.

For Petitioners : Mr.V.Elangovan

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for a direction to direct the respondent not to harass the petitioner in the name of enquiry C.No.63/DC CCB-TBM/COP(T) 2023 dated 09.06.2023.



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 respondents police submits that on the complaint given by the defacto complainant against the petitioner, petition enquiry is pending in C.No.63/DC CCB-TBM/COP(T) 2023 dated 09.06.2023 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 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.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
ssr

To

1. The Inspector of Police,
CCB, Entrustment of Document Fraud Wing, Team-3,
Tambaram Corporation limit,
Sholinganallur,
Chennai – 600 119.
2. The Public Prosecutor,
High Court of Madras,
Madras.



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4 of 4

N. ANAND VENKATESH,, J.

SSr

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