



Crl.O.P.No.16453 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.16453 of 2023

1.N.Palani

2.A.Sangeetham (a) Sangeetharaj

3.P.Venmathi

...Petitioners

Vs

1.The Superintendent of Police,
O/o Superintendent of Police,
Thiruvallur District.

2.The Inspector of Police,
Anti Land Grabbing Special Cell,
O/o District Superintendent of
Police, Thiruvallur District.

...Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code praying to direct the 1st and 2nd respondents not to harass the petitioners under the guise of investigation pursuant to the 1st petitioner's representation on 14.6.2023.

For Petitioners : Mr.P.Muthamizhselvakumar

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed seeking to direct the respondents not to harass the petitioners under the guise of enquiry.

2. Heard learned counsel for the petitioners and the learned Additional Public Prosecutor appearing 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 petitioners, petition enquiry is pending in C.No.296/DSP/ALGSC/TVLR/2023 dated 24.5.2023 on the file of the respondent police.

4. The petitioners are directed to co-operate with the police for enquiry and at the time of conducting of the enquiry, the petitioners shall not be harassed by the police. The police cannot call the petitioners 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



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FIR and this order shall not be a shield for the petitioners against the respondents proceeding to take action in accordance with law.

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

24.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order : Yes/No

To

- 1.The Superintendent of Police,
O/o Superintendent of Police,
Thiruvallur District.
- 2.The Inspector of Police,
Anti Land Grabbing Special Cell,
O/o District Superintendent of
Police, Thiruvallur District.
- 3.The Public Prosecutor,
High Court, Madras.

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