



WEB COPY



Crl.O.P.No.17928 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17928 of 2023

S.Chandra Sekar

.. Petitioner

Versus

1. The Superintendent of Police,
Office of the Superintendent of Police,
Coimbatore District.

2. State Represented by its
The Inspector of Police,
Vadavalli Police Station,
Vadavalli, Coimbatore.

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent not to harass the petitioner in view of his complaint, dated 21.01.2023.

For Petitioner : M/s.S.Arivazhagan

**For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor**

ORDER



Crl.O.P.No.17928 of 2023

WEB COPY

This Criminal Original Petition has been filed seeking for a direction to the second respondent not to harass the petitioner in view of his complaint, dated 21.01.2023.

2. Heard learned Counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3. The learned Additional Public Prosecutor for the respondents submits that on the complaint given by some unsatisfied distributors / customers of the petitioner's Company against the petitioner, petition enquiry is pending in C.P.No.5 of 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



Crl.O.P.No.17928 of 2023

WEB COPY

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 disposed off.

09.08.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Coimbatore District.
2. The Inspector of Police,
Vadavalli Police Station,
Vadavalli, Coimbatore.
3. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.17928 of 2023

N.ANAND VENKATESH, J.

grs

Crl.O.P.No.17928 of 2023

09.08.2023