



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17762 of 2023

Mr.Vimalraj

.. Petitioner

Vs.

1.The Superintendent of Police,
Villupuram District.

2.The Inspector of Police,
All Women Police Station,
Kottakuppam.

..Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd Respondent herein not to harass the Petitioner herein and his family members in the name of enquiry on the basis of complaint dated 18.07.2023 and given by him.

For Petitioner : Mr.S.Sugumar

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



ORDER

WEB COPY

This Criminal Original Petition has been filed to direct the 2nd Respondent herein not to harass the Petitioner herein and his family members in the name of enquiry on the basis of complaint dated 18.07.2023 given by him.

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 respondent police submits that on the complaint given by the defacto complainant against the petitioner, petition enquiry is pending in C.S.R.No.255 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 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.

WEB COPY

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

08.08.2023

Index : Yes/No
Internet : Yes/No
ssr

To

1. The Superintendent of Police,
Villupuram District.

2. The Inspector of Police,
All Women Police Station,
Kottakuppam.

3. The Public Prosecutor
High Court of Madras,
Madras.



WEB COPY



N.ANAND VENKATESH, J

SSR

Crl.O.P.No. 17762 of 2023

08.08.2023