



Criminal Original Petition No.18319 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.18319 of 2023

R.Naveen
S/o.Rajan

...Petitioner

Vs

1.The Commissioner of Police,
Greater Chennai,
Commissioner of Building,
Vepery, Chennai - 600 007.

2.State represented by its
The Inspector of Police,
J-1, Saidapet Police Station,
Chennai - 600 005.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to direct the second respondent herein not to harass the petitioner as per the representation letter dated 03.08.2023.

For Petitioner : Mr.M.Ramasamy

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



Criminal Original Petition No.18319 of 2023

ORDER

This Criminal Original Petition has been filed to direct the second respondent herein not to harass the petitioner as per the representation letter dated 03.08.2023.

2. Heard learned counsel for petitioner and learned Additional Public Prosecutor appearing on behalf of respondents.

3. Learned Additional Public Prosecutor appearing for the respondents submits that on the complaint given by the *de facto* complainant against the petitioner, petition enquiry is pending in CSR Nos.1069 of 2022 and 135 of 2023 on the file of the second respondent.

4. The petitioner is directed to co-operate with the police for enquiry and at the time of conducting 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



Criminal Original Petition No.18319 of 2023

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.

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

14.08.2023

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

To

1. The Commissioner of Police,
Greater Chennai,
Commissioner of Building,
Vepery, Chennai - 600 007.
2. The Inspector of Police,
J-1, Saidapet Police Station,
Chennai - 600 005.
3. The Public Prosecutor,
High Court, Madras.



WEB COPY



Criminal Original Petition No.18319 of 2023

N.ANAND VENKATESH, J

gm

Criminal Original Petition No.18319 of 2023

14.08.2023