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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.18657 of 2023

Muniyappan

.. Petitioner

Vs.

1.The Inspector of Police,
Police Station Dharmapuri,
Dharmapuri.

2.M.G. Anbalagan

..Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the 1st respondent to not to harass the petitioner complainant dated at 25.06.2023.

For Petitioner : Mr. M.D. Thirunavukkarasu

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor for R1

ORDER

This Criminal Original Petition has been filed directing the 1st respondent to not to harass the petitioner complainant dated at 25.06.2023.



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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 CSR.No.575 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.

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

17.08.2023

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

To

1. The Inspector of Police,
Police Station Dharmapuri,
Dharmapuri.

2. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSI

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