



Criminal Original Petition No.18921 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.18921 of 2023

S.Ranganathan
S/o.P.C.Selvaraj

...Petitioner

Vs

1.The Assistant Commissioner of Police,
Pallavaram, Chennai - 600 043.

2.The Inspector of Police,
Pallavaram Police Station,
Pallavaram, Chennai - 600 043.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to direct the second respondent not to harass the petitioner and his family members in the guise of enquiry except in the manner known to law.

For Petitioner : Mr.V.Sakkarapani

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



ORDER

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioner and his family members in the guise of enquiry except in the manner known to law.

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 Current Paper No.330 of 2023 on the file of the second respondent police.

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



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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 respondent police is free to register an FIR and this order shall not be a shield for the petitioner against the respondent police proceeding to take action in accordance with law.

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

21.08.2023

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

- 1.The Assistant Commissioner of Police,
Pallavaram, Chennai - 600 043.
- 2.The Inspector of Police,
Pallavaram Police Station,
Pallavaram, Chennai - 600 043.
- 3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

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