



Criminal Original Petition No.19292 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.19292 of 2023

R.Vedhagiri @ Wilson Vedhagiri
S/o.T.Rangasamy

...Petitioner

Vs

- 1.The Commissioner of Police,
Greater Chennai City,
Chennai - 600 007.
- 2.The Deputy Commissioner of Police,
Greater Chennai City,
Chennai - 600 004.
- 3.The Assistant Commissioner of Police,
J-4 Police Station,
Kotturpuram - 600 085.
- 4.State by Inspector of Police,
J-4 Police Station,
Kotturpuram - 600 085.

... Respondents



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PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to direct the respondents not to harass the petitioner herein Vehagiri @ R.Wilson Vedhagiri, Pastor and Managing Trustee of the Church, "Carmel House of Prayer Trust", at No.4, Kazhikundram Main Road, Kazhikundram, Taramani, Chennai - 600 113, in the functioning of the Church.

For Petitioner : Mr.A.E.Chelliah, Senior Counsel
for Mr.R.Prathaban

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents not to harass the petitioner.

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 complaints given by both parties, a petition enquiry is pending in CSR Nos.366 and 372 of 2023.



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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 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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N.ANAND VENKATESH, J

gm

To

- 1.The Commissioner of Police,
Greater Chennai City,
Chennai - 600 007.
- 2.The Deputy Commissioner of Police,
Greater Chennai City,
Chennai - 600 004.
- 3.The Assistant Commissioner of Police,
J-4 Police Station,
Kotturpuram - 600 085.
- 4.The Inspector of Police,
J-4 Police Station,
Kotturpuram - 600 085.
- 5.The Public Prosecutor,
High Court, Madras.

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