



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.18779 of 2023

S. Janani

.. Petitioner

Vs.

1. The Joint Commissioner of Police,
South Zone, Guindy,
Chennai.

2. The State rep. by Inspector of Police
S-8, Adambakkam Police Station,
Adambakkam,
Chennai – 600 088.

3. Mrs.Devi Nirmala

..Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent not to harass the petitioner.

For Petitioner

: Mr.B.Thirumalai

For Respondents

: Mr.A.Damodaran
Additional Public Prosecutor
for R1 & R2



ORDER

WEB COPY This Criminal Original Petition has been filed directing the respondent police to direct the 2nd respondent not to harass the petitioner.

2. Heard learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent police.

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 C.No.101/Ins-S8/JC Camp/23 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.

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 Joint Commissioner of Police,
South Zone, Guindy,
Chennai.
2. The Inspector of Police
S-8, Adambakkam Police Station,
Adambakkam,
Chennai – 600 088.



WEB COPY



N.ANAND VENKATESH, J

SSI

3.The Public Prosecutor,
High Court, Madras.

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