



Crl.O.P.No.1462 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.1.2024

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.1462 of 2024

Nishanth Ravichandran,
Chief Executive Officer,
GFM Retail Pvt. Ltd.

...Petitioner

Vs.

The Assistant Commissioner of
Police, Valasaravakkam Range,
Ramapuram, Chennai-89.

...Respondent

Mr.P.V.Sathya Narayanan

...Intervenor

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to direct the respondent police herein not to harass the petitioner under the guise of enquiry.

For Petitioner	:	Mr.G.Vairava Subramanian
For Respondent	:	Mr.A.Gopinath, GA (Crl.Side)
For Intervenor	:	Mr.M.John Kennady

ORDER

This Criminal Original Petition has been filed seeking to direct the respondent not to harass the petitioner under the guise of enquiry.



Crl.O.P.No.1462 of 2024

WEB COPY

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that on the complaint given by the defacto complainant against the petitioner, petition enquiry is pending in C.No.15 of 2024 on the file of the respondent.

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 the case of ***Lalitha Kumari Vs. Government of Uttar Pradesh*** [reported in ***2013 (6) CTC 353***], has enumerated the nature of cases where the preliminary enquiry can be conducted and has also restricted the period, for which, the preliminary enquiry can be conducted. During the course of enquiry, if any cognizable offence is made out, the respondent is free to register an FIR and this order shall not be a



Cr.O.P.No.1462 of 2024

shield for the petitioner against the respondent proceeding to take action in accordance with law.

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

30.1.2024

Index : Yes/No
Speaking Order : Yes/No

To

- 1.The Assistant Commissioner
of Police, Valasaravakkam
Range, Ramapuram,
Chennai-89.
- 2.The Public Prosecutor,
High Court, Madras.



WEB COPY



CrI.O.P.No.1462 of 2024

N.ANAND VENKATESH,J

ssr

CRL.O.P.No.1462 of 2024

30.1.2024