



Criminal Original Petition No.2375 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.2375 of 2024

Mr.K.Ramadoss
S/o.Kathirvel Murugan

... Petitioner

Vs.

1. The Commissioner of Police,
O/o. The Commissioner of Police,
Police Head Quarter, Vepary,
Chennai District.
2. The Deputy Commissioner of Police,
O/o. The Deputy Commissioner of Police,
Madhavaram Range, Chennai.
3. The Inspector of Police,
Puzhal Police Station, Puzhal,
Chennai.
4. The Inspector of Police,
T1 Ambattur Police Station.

[R4 *suo motu* impleaded as per the
order of this Court dated 07.02.2024]

... Respondents



Criminal Original Petition No.2375 of 2024

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the respondents herein not to harass the petitioner in the guise of enquiry.

For Petitioner : Mr.S.Madhusudanan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents herein not to harass the petitioner in the guise of enquiry.

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 C.No.10/ACP/2024. Learned Additional Public Prosecutor further submits that the case has been transferred to the file of T1 Ambattur Police Station.



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4. Considering the aforesaid submission, the Inspector of Police, T1 Ambattur Police Station, is *suo motu* impleaded as fourth respondent in this petition.

5. Registry is directed to carry out necessary amendment in all the concerned records.

6. 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 fourth respondent is 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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N.ANAND VENKATESH, J.

gm

With the above direction, this Criminal Original Petition is disposed of.

07.02.2024

Speaking Order/Non-speaking Order
Index : Yes/No
Neutral citation: Yes/No
gm

To

1. The Commissioner of Police,
O/o. The Commissioner of Police,
Police Head Quarter, Vepary,
Chennai District.
2. The Deputy Commissioner of Police,
O/o. The Deputy Commissioner of Police,
Madhavaram Range, Chennai.
3. The Inspector of Police,
Puzhal Police Station, Puzhal,
Chennai.
4. The Inspector of Police,
T1 Ambattur Police Station.
5. The Public Prosecutor,
High Court, Madras.

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