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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2024

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.3005 of 2024

S.Veeraragavan

.. Petitioner

-VS-

1.The Commissioner of Police,
Avadi, Chennai.

2.The Deputy Commissioner of Police,
Madhavaram, Chennai.

3.The Inspector of Police,
Korattur Police Station,
Chennai

.. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct 1 to 3 respondents police for not to harass and not to disturb the petitioner and his family members in guise of enquiry and thus render justice.

For Petitioner : Mr.S.Ramajayam

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed seeking for a direction to the Respondents not to harass the Petitioner and his family members in the name of enquiry without due process of law.

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

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.S.R.No.174 of 2023 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



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

- 1.The Commissioner of Police,
Avadi, Chennai.
- 2.The Deputy Commissioner of Police,
Madhavaram, Chennai.
- 3.The Inspector of Police,
Korattur Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH,J.

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