



WEB COPY



Criminal Original Petition No.6169 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.6169 of 2024

SKST CHIT FUND Pvt. Ltd.,
represented by its Managing Director,
Mr.A.N.Kishorekani
No.261, Vivekanadha Road,
Ram Nagar, Coimbatore - 641 009.

...Petitioner

Vs

1.State represented by
The Inspector of Police,
Jolarpettai Police Station,
Tiruppattur District.

2.K.Anbusakthi
S/o.Krishnan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to direct the respondent police not to harass the petitioner in the guise of enquiry.

For Petitioner : Mr.K.Vasanthanayagan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]

ORDER



This Criminal Original Petition has been filed seeking a direction to the respondent police 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 first respondent.

3. Learned Additional Public Prosecutor appearing for the first respondent submits that on the complaint given by the *de facto* complainant against the petitioner, petition enquiry is pending in CP No.1196 of 2024 on the file of the first respondent.

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



Criminal Original Petition No.6169 of 2024

of enquiry, if any cognizable offence is made out, the first respondent is free to register an FIR and this order shall not be a shield for the petitioner against the first respondent police proceeding to take action in accordance with law.

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

14.03.2024

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

To

1. The Inspector of Police,
Jolarpettai Police Station,
Tiruppattur District.

2. The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH, J

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