



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. No.6178 of 2024

1.Manoj Pradap

2.Rajendran

3.Saraswathi

4.Karthikeyan

...Petitioners

Vs

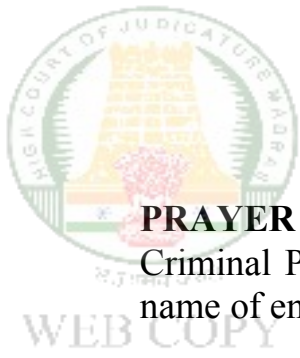
1.The Superintendent of Police,
Salem District,
Salem.

2.The Inspector of Police,
Tharamangalam Police Station,
Tharamangalam,
Salem District.

3.The Inspector of Police,
All Women Police Station,
Omalur,
Salem District.

4.The Inspector of Police,
Sooramangalam All Women Police Station,
Sooramangalam, Salem - 5.

... Respondents



PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to not to harass the petitioners in the name of enquiry to settle the family dispute.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents to not to harass the petitioners in the name of enquiry to settle the family dispute.

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 petitioners, petitions enquiry are pending in CSR.No.67 of 2024 & CSR.No.142 of 2024 on the file of the 2nd and 4th respondent police.

4.Considering the facts and circumstances of the case, the 3rd respondent is directed to enquire both the cases pending before the 2nd and 4th respondent.



WEB COPY

5. The petitioners are directed to co-operate with the police for enquiry and at the time of conducting of the enquiry, the petitioners shall not be harassed by the police. The police cannot call the petitioners 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 respondent are free to register an FIR and this order shall not be a shield for the petitioners against the respondent proceeding to take action in accordance with law.

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

12.03.2024

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

N.ANAND VENKATESH, J



SSR

WEB COPY

To

- 1.The Superintendent of Police,
Salem District,
Salem.
- 2.The Inspector of Police,
Tharamangalam Police Station,
Tharamangalam,
Salem District.
- 3.The Inspector of Police,
All Women Police Station,
Omalur,
Salem District.
- 4.The Inspector of Police,
Sooramangalam All Women Police Station,
Sooramangalam, Salem - 5.

Crl.O.P. No.6178 of 2024

12.03.2024