



WEB COPY



*Crl.O.P. No.7031 of 2024*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.03.2024

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

**Crl.O.P.No.7031 of 2024**

R.Prabhakaran

.. Petitioner

Vs.

The Inspector of Police (Crime),  
R1 Mambalam police Station,  
No.1, Madley Road, T.Nagar,  
Chennai 600 017

.. Respondent

**Prayer:** Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent not to harass the petitioner.

For Petitioner : Mr.S.Balasubramanian  
For Respondents : Mr.A.Damodaran  
Additional Public Prosecutor

**ORDER**

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

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 respondent police submits that on the complaint given by the defacto complainant against the



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petitioners, petition enquiry is pending in CP No.51 of 2024 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 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.

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

**25.03.2024**

Index :Yes/No  
Internet:Yes/No  
Speaking/Non speaking order  
rka

**N. ANAND VENKATESH,J**



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rka

To

1. The Inspector of Police (Crime),  
R1 Mambalam police Station,  
No.1, Madley Road, T.Nagar,  
Chennai 600 017

2. The Public Prosecutor,  
High Court, Madras

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