



Crl.O.P. No.7035 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.7035 of 2024

1. K.Pandiarajan
2. P.Kuppusamy
3. K.Ramani

.. Petitioners

Vs.

1. The Commissioner of Police,
Office of the commissioner of Police campus,
Vepery, Chennai 600 007.
2. The Sub Inspector of Police,
W21, All Women Police Station,
Guindy, Chennai – 600 032.

3. J.Bhavya Varshini

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 1st and 2nd respondents not to harass the petitioners by considering representation dated 15.03.2024 and to provide any such relief as this Court may deem fit.

For Petitioner	: Mr.V.M.Venkataramana
For Respondents	: Mr.A.Damodaran Additional Public Prosecutor

ORDER



Crl.O.P. No.7035 of 2024

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This Criminal Original Petition has been filed seeking to direct the respondents 1 and 2 not to harass the petitioners.

2. Heard learned counsel for the petitioners 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, petition enquiry is pending in CSR 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



Crl.O.P. No.7035 of 2024

the respondents proceeding to take action in accordance with law.

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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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Crl.O.P. No.7035 of 2024

To

1. The Commissioner of Police,
Office of the commissioner of Police campus,
Vepery, Chennai 600 007.
2. The Sub Inspector of Police,
W21, All Women Police Station,
Guindy, Chennai – 600 032.
3. The Public Prosecutor,
High Court, Madras

Crl.O.P.No.7035 of 2024

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