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CRL.O.P No.25176 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2024

CORAM

**THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN
THILAKAVADI**

CRL.O.P No.25176 of 2024

K.Renuka Devi
W/o.Karthikeyan

...Petitioner

Vs.

1. The Commissioner of Police
Office of the Commissioner of Police
Coimbatore - 641 018

2. The Inspector of Police
C-3, Saibaba Colony Police Station
No.109, Ramalingam Colony
Saibaba Colony
Coimbatore - 641 011

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to direct the Respondents and their subordinates to not to harass the petitioner and her family members in any manner.

For Petitioner : Mr.S.Lakshmi Narayanan

For Respondents : Mr.L.Baskaran
Government Advocate (Crl.side)



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ORDER

This Criminal Original Petition has been filed to direct the Respondents and their subordinates to not to harass the petitioner and her family members in any manner.

2. Heard learned counsel for petitioner and learned Government Advocate (Crl.side) appearing on behalf of respondents.

3. Learned Government Advocate (Crl.side) appearing for the respondents submits that on the complaint given by the *de facto* complainants against the petitioner, petition enquiry is pending .

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



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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.

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

09.10.2024

Index: Yes/No
Speaking order/Non-speaking Order
Neutral Citation: Yes/No
gpa

To

1. The Commissioner of Police
Office of the Commissioner of Police
Coimbatore - 641 018
2. The Inspector of Police
C-3, Saibaba Colony Police Station
No.109, Ramalingam Colony
Saibaba Colony
Coimbatore - 641 011
3. The Public Prosecutor,
High Court, Madras.



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K.GOVINDARAJAN THILAKAVADI, J

gpa

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