



CRL.O.P No.25210 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.25210 of 2024

Naseema Bee
W/o.Mohammed Jaleel

...Petitioner

Vs.

1. The Superintendent of Police
Kallakurichi District
Kallakurichi
2. The Deputy Superintendent of Police
Ulundurpet
Kallakurichi District
3. The Inspector of Police
Ulundurpet Police Station
Ulundurpet
Kallakurichi District
4. The Inspector of Police
Edakkal Police Station
Kallakurichi District
5. K.Vinothraj
S/o.Kesavan

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, praying to direct the Respondents 2



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to 4 to not to harass the petitioner and her family members.

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For Petitioner : Mr.A.Ilaya Perumal

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

ORDER

This Criminal Original Petition has been filed to direct the Respondents 2 to 4 to not to harass the petitioner and her family members.

2. Heard learned counsel for petitioner and learned Government Advocate (Crl.side) appearing on behalf of respondents 1 to 4.

3. Learned Government Advocate (Crl.side) appearing for the respondents 1 to 4 submits that on the complaint given by the *de facto* complainant against the petitioner to the third respondent, 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



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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.

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
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K.GOVINDARAJAN THILAKAVADI, J

gpa

To

1. The Superintendent of Police
Kallakurichi District
Kallakurichi
2. The Deputy Superintendent of Police
Ulundurpet
Kallakurichi District
3. The Inspector of Police
Ulundurpet Police Station
Ulundurpet
Kallakurichi District
4. The Inspector of Police
Edakkal Police Station
Kallakurichi District
- 5..The Public Prosecutor,
High Court, Madras.

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