

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 19.02.2019****CORAM:****THE HONOURABLE MR.JUSTICE N.SESHASAYEE**  
**CRL.O.P.[MD]No.2543 of 2019**

WEB COPY

A.Mohammed Abdul Razid : Petitioner

Vs.

1.The Superintendent of Police,  
Ramanathapuram,  
Ramanathapuram District.2.The Inspector of Police,  
Ramanathapuram Town Police Station,  
Ramanathapuram District.

3.M.Mohammed Shabu : Respondents

**PRAYER** : Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the respondents No. 1 and 2 not to harass the petitioner on the guise of the enquiry in pursuance to the complaint lodged by the third respondent.

For Petitioner : Mr.A.Ramalingam

For R-1 and R-2 : Mr.V.Neelakandan.  
Additional Public Prosecutor.**ORDER**

The present Criminal Original Petition has been filed to direct the first and second respondents not to harass the petitioner under the guise of the enquiry in pursuant to the complaint lodged by the third respondent.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the official respondents.

3.This Court has paid its anxious consideration to the submissions made on either side.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the complaint has been



received from the third respondent, stating that he has been cheated by the petitioner on a false promise of securing job.

5. Per contra, the learned counsel for the petitioner submitted that the petitioner has arranged a job to the third respondent. Thereafter, the third respondent had gone to abroad and after having worked about a year, return back from abroad and has lodged this complaint.

6. The learned Additional Public Prosecutor however would submit that the petition was closed and there is no harassment by the respondents 1 and 2 at the instigation of the third respondent.

7. On the face of it, it appears that whether the promise to secure the job, is complied with or broken seems to indicate that the case has complexion of a civil dispute. It is settled law that if the dispute is of civil nature, then, the police shall not step-in. However, if it involves any criminal overtone, the police can interfere in it. Inasmuch as the prayer sought for is limited that the petitioner should not be harassed, the Investigation Agency is directed to enquire the matter strictly in accordance with law and should not adopt any extra legal methods. If at all the presence of the petitioner is required by the respondent police for enquiry, the same shall be done by issuing summons mentioning a specific date and time for enquiry. During enquiry, there shall not be harassment to the petitioner.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To

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

2. The Inspector of Police,  
Ramanathapuram Town Police Station,  
Ramanathapuram District.



3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.C.SENTHIL MURUGAN, Advocate ( SR-48024[F] dated  
19/02/2019 )

CP

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