



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE
CRL.O.P.[MD].No.3338 of 2019

WEB COPY

1.C.Chellappan Chokku
2.Meena

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Manamadurai Sub-Division,
Manamadurai,
Sivagangai District.

2.The Inspector of Police,
Tiruppuvanam Police Station,
Tiruppuvanam,
Sivagangai District.

3.C.Ponnuchamy

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the first respondent not to harass the petitioners and their family members which is civil in nature.

For Petitioners : Mr.T.R.Subramanian
For R1 and R2 : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side).

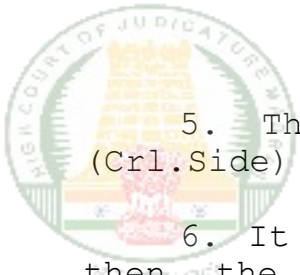
ORDER

The present petition has been filed to direct the second respondent not to harass the petitioner.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the official respondents.

3. The learned counsel for the petitioner submitted that at the instance of the third respondent, the second respondent is harassing the petitioners. He further submitted that the petitioners' father was running a cotton mill as private company. The petitioners are the Directors in the said company. The entire matter does not show any complexion of crime and yet the second respondent is harassing the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the official respondents submitted that both the petitioners and the third respondent have preferred complaints against each other and the same are pending enquiry. He further submitted that summons have been issued to the parties concerned for enquiry.



5. The said statement of the learned Government Advocate (Crl.Side) is recorded.

6. 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 Investigating 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.

7. With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Deputy Superintendent of Police,
Manamadurai Sub-Division,
Manamadurai, Sivagangai District.

2.The Inspector of Police,
Tiruppuvanam Police Station,
Tiruppuvanam, Sivagangai District.

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

+1cc to Mr.T.R.Subramanian, Advocate, SR.No. 51589

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