



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.03.2019**

CORAM

WEB COPY

THE HON'BLE **MR. JUSTICE N. SESHASAYEE**

Crl.O.P.(MD)No.4242 of 2019

Sethuraman

... Petitioner

-Vs-

1.The Commissioner of Police,
Madurai, Madurai District.

2.The Superintendent of Police,
Madurai, Madurai District.

3.The Inspector of Police,
K.Pudur Police Station,
K.Pudur, Madurai - 7.

4.The Inspector of Police,
District Crime Branch,
Madurai, Madurai District.

5.Karthik
6.Muniasamy
7.Mohanraj
8.Duraisingham

...Respondents

Prayer: Criminal Original petition - filed under Section 482 of Code of Criminal Procedure, to direct the 3rd and 4th respondents not to harass the petitioner and his consultancy workers under the guise of enquiry without following due process of law based on the representation of the petitioner dated 18.03.2019.

For Petitioner : Mr.S.Muthukumar

For R-1 to R-4 : Mr.V.Neelakandan
Additional Public Prosecutor

O R D E R

This Criminal Original petition has been filed to direct the 3rd and 4th respondents not to harass the petitioner and his consultancy workers under the guise of enquiry without following due process of law based on the representation of the petitioner dated 18.03.2019.

<https://hcservices.ecourts.gov.in/hcservices/> **2.** Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police.



3. The learned counsel appearing for the petitioner submitted that the petitioner faces harassment from the third respondent presumably at the instance of the complaint made by the respondents 5 to 8.

4. The learned Additional Public Prosecutor submitted that it is a case of job racketing and the respondents 5 to 8 accuse the petitioner of cheating their money without keeping his promise to secure a job abroad. The respondent police have neither harassed the petitioner nor intended to harass him.

5. The said statement of the learned Additional Public Prosecutor is recorded. If the investigating agency / third respondent is keen to hold any preliminary enquiry on the said complaint, the same shall be done only by issuing fresh summons under Section 41 A Cr.P.C., mentioning a specific date and time for enquiry and also giving reasonable time for him to travel to the venue of such enquiry. The petitioner is also directed to co-operate with the enquiry. During enquiry, there shall not be harassment to the petitioner.

6. Accordingly, this criminal original petition is disposed of.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar()

To

1.The Commissioner of Police,
Madurai, Madurai District.

2.The Superintendent of Police,
Madurai, Madurai District.

3.The Inspector of Police,
K.Pudur Police Station, K.Pudur, Madurai - 7.

4.The Inspector of Police,
District Crime Branch, Madurai, Madurai District.

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

+1. C.C. To Mr.S.Muthukumar SR.No.55814

Order made in
CrI.O.P.(MD)No.4242 of 2019