



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE. N.SESHASAYEE

Cr1.O.P.[MD].No.4488 of 2019

S.Ramashkannan

: Petitioner

/Vs./

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

2. The Inspector of Police,
Nagaiahpuram Police Station,
Madurai District.

3.Navaneethan

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 2nd respondent not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.S.Mahendrapathy

For R-1 & R-2 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

The petitioner complains of harassment by the second respondent on a complaint given by the third respondent.

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

3. The learned counsel appearing for the petitioner submits that the second respondent insists the petitioner to pay some money to the third respondent.

4. The learned Additional Public Prosecutor submitted that the complaint preferred by the third respondent discloses that the petitioner is alleged to have cheated the third respondent on some sum on a promise of securing the former job abroad. He added that the respondent police have neither harassed the petitioner nor
<https://hcservices.reports.gov.in/hcservices/>
intended to harass him.

5. The learned counsel appearing for the petitioner would now



submit that the petitioner is noway connected with the case and the petitioner's friend has generously engaged himself in such job rocketing.

6. The submission of the learned Additional Public Prosecutor is recorded. If the second respondent requires the petitioner's presence for any preliminary enquiry / interrogation, the same shall be done only on 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. The respondent police is also reminded of the principles in the judgment reported in **2013 (6) CTC 353 [Lalitha Kumari Vs. Government of Uttar Pradesh]**.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Inspector of Police,
Nagaiahpuram Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Cr1.O.P.[MD].No.4488 of 2019
26.03.2019

sm

AE (02.05.2019) 2P 4C