



Crl.O.P.(MD).No.4417 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.03.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD).No.4417 of 2024

J.Meena

... Petitioner

Vs.

1.The Superintendent of Police,
Trichy District.

2.The Inspector of Police,
Pulivalam Police Station,
Trichy District.

3.Radhakrishnan

4.Rengarajan

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the second Respondent not to harass the Petitioner under the guise of enquiry based on the complaint given by the third and fourth Respondents.

For Petitioner : Mr.S.M.Mohan Gandhi

For R-1 and R-2 : Mr.M.Veeranthiran
Government Advocate
(Criminal Side)



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ORDER

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The learned Counsel for the Petitioner submitted that the Petitioner was working as a cashier in the third Respondent's company by name, R.K.Metal Roofings Private Limited. On 07.03.2024, the third Respondent, who is the General Manager of the said company asked the Petitioner to come to his room and tried to misbehave with her. Therefore, on the next day, she did not attend the company. While so, on the very next day of the alleged occurrence, the third Respondent directed the Petitioner to come office and hand over the accounts maintained by her on that day itself. Accordingly, she went to the company and handed over all the accounts to her superior, who is the fourth Respondent herein. Subsequently, the Petitioner was summoned by the second Respondent under the pretext that the Respondents 3 and 4 has preferred a complaint against her regarding misappropriation of money. Therefore, the Petitioner approached this Court by way of filing this petition seeking direction against the Respondent Police not to harass the Petitioner under the guise of an enquiry.

2. The learned Government Advocate (Criminal Side) on instructions from the Respondents 1 and 2 would submit that there had been misappropriation of amount. Therefore, the Respondents 3 and 4 had given a complaint to the second Respondent, based on which CSR No.58 of 2024 dated 09.03.2024 was issued and the Respondent Police directed the Petitioner to



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appear before him for enquiry. Instead of appearing before the second Respondent, the Petitioner approached this Court. Now, the Petitioner had given a complaint to the Superintendent of Police, Trichy Rural against the Respondents 3 and 4.

3. Considering the submissions of the learned Counsel for the Petitioner and the learned Government Advocate (Criminal Side), this Court directs the Petitioner to co-operate with the pending enquiry and the Respondent Police are directed to act as per the reported ruling of the Hon'ble Supreme Court in the case of ***Lalitha Kumari Vs. State of Uttar Pradesh*** reported in ***2014 (2) SCC 1*** and in the case of ***Arnesh Kumar Vs State of Bihar*** reported in ***2014 (8) SCC 273***, by issuing proper summons and by specifying the date and time for appearance of the Petitioner. The Respondents 1 and 2 shall not summon the Petitioner at odd hours.

4. In view of the above, this Criminal Original Petition is closed.

20.03.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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To

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



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

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