



Crl.O.P.(MD)No.334 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.334 of 2025

Janani

.. Petitioner

Vs.

**1.The Commissioner of Police,
Madurai City, Madurai.**

**2.The Inspector of Police,
C3, S.S.Colony Police Station,
Madurai City.**

3.Gopal

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to direct the second respondent not to interfere in the civil dispute and not
to harass the petitioner under guise of enquiry.

For Petitioner : Mr.S.Prabhu

**For R1 & R2 : Mr.A.Thiruvadikumar
Additional Public Prosecutor**

For R3 : Mr.K.Gokul



ORDER

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The petitioner facing harassment at the hands of the second respondent has filed this petition. The petitioner's father had earlier sent a representation on 31.07.2024 stating that one Pandian and Karuppaiah had lodged a complaint against the petitioner, since she had an infant to take for, she was unable to appear and further, the petitioner's father had given an undertaking to pay the amount of Rs.2,00,000/- within a period of three months. But, thereafter, failed to pay. Now, summon has been issued by the second respondent on a complaint of one Gopal, Pandian and Karuppaiah.

2. The contention of the petitioner is that it is the money dispute. A civil transaction has been given a criminal colour. The petitioner was constantly called for enquiry. Hence, she filed the above petition.

3. The learned Additional Public Prosecutor submitted that the third respondent had lodged a complaint to the Commissioner of Police, which was forwarded to the Assistant Commissioner and thereafter, to the second respondent. On the complaint, the petitioner was called for enquiry and summons were sent. The petitioner for getting job in a Government



department had collected money and thereafter, neither got job nor repaid the amount. Hence, complaint has been received. Further, submitted that it is the case of job racketing. Hence, to find out whether the petitioner had cheated other persons, the same is also being enquired.

3. Mr.K.Gokul, learned counsel appearing for the third respondent submitted that the petitioner had taken money on the promise that she would secure an employment to the third respondent's son specifying that the job would be at Primary Health Center, Kachaikatti, Vadipatti Taluk, but after receipt of money, she had failed to repay the amount, on the other hand, taking all possible steps to evade the payment and project it as a civil dispute. The petitioner right from the instructions had intention of cheating. Further, it is also understood that the petitioner had collected money from several persons on getting job. Unless the petitioner appears for enquiry, the issue cannot be unravelled.

4. The learned counsel for the petitioner, on instructions, submitted that the petitioner would appear before the second respondent on 28.01.2025.



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5. In view of the above, the petitioner to appear before the second respondent on 28.01.2025. The third respondent also to appear on the same day before the second respondent. The second respondent shall conduct enquiry in this regard.

6. With the above direction, this Criminal Original Petition is disposed of.

09.01.2025

NCC : Yes/No
Index : Yes / No
Rmk

To

- 1.The Commissioner of Police,
Madurai City, Madurai.
- 2.The Inspector of Police,
C3, S.S.Colony Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

Rmk

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