



Crl.O.P.Nos.17292 and 17297 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 06.07.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.Nos.17292 and 17297 of 2026
and Crl.M.P.Nos.11530 and 11531 of 2026

In Crl.O.P.No.17292 of 2026:-

Parameshwaran

.. Petitioner

Versus

State
Represented by
The Inspector of Police,
City Crime Branch – I,
Coimbatore City.

.. Respondent

In Crl.O.P.No.17297 of 2026:-

Rakesh Israni

.. Petitioner

Versus

State
Represented by
The Inspector of Police,
City Crime Branch – I,
Coimbatore City.

.. Respondent

Prayer in Crl.O.P.Nos.17292 and 17297 of 2026 : Criminal Original
Petition filed under Section 528 of BNSS, 2023, to call for records and
quash the summons, dated 29.06.2026 on the file of the respondent Police



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as against the petitioner.

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For Petitioners : Mr.G.R.Hari
(in both cases)

For Respondent : Mr.M.Mohamed Riyaz,
(in both cases) Government Advocate (Criminal Side),
for R1

COMMON ORDER

These two matters are connected to each other and as such, are disposed of by this common order.

2. The grievance that is made out is with reference to the summons issued by the respondent Police directing the appearance of the petitioners in the respective cases.

3. The learned Counsel for the petitioners would submit that if the petitioners are to be treated as accused, firstly, a case has to be registered and in the absence of any registration of the case, there is no question of summoning the accused. Further, they would also contend that it is the right of the accused to withhold his defence and the Police cannot summon the very accused themselves to collect the materials for prosecuting them.



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4. Per *contra*, the learned Government Advocate (Criminal Side)

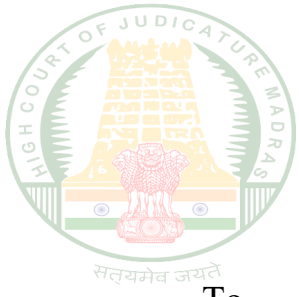
for the respondent would submit that it is true that the case has not yet been registered. When a complaint against the petitioners is treated as a petition and preliminary enquiry is being conducted only to ascertain the *prima facie* veracity, the summons came to be issued. In any event, mentioning the list of allegations and particulars, a fresh summons will be issued to the petitioners requiring their appearance on 15.07.2026 and this summons is not being insisted upon.

5. In view of the said statement made and directing the respondent to issue fresh summons for 15.07.2026, this Criminal Original Petition is disposed of. Needless to mention that it will be the liberty of the petitioners either to appear and clarify if there is something favourable to them to the Investigating Officer, failing which, the respondent will get satisfied themselves about the *prima facie* case by resorting to other materials and proceed in accordance with law. Consequently, connected miscellaneous petitions are closed.

06.07.2026

Neutral Citation : no
grs

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To
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1. The Inspector of Police,
City Crime Branch – I,
Coimbatore City.
2. The Public Prosecutor,
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY, J.

grs

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and Crl.M.P.Nos.11530 and 11531 of 2026

06.07.2026