

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.No.4866 of 2011

D.Thamburaj

.. Petitioner

Vs

The Inspector of Police,
St.Thomas Mount Police Station,
St.Thomas Mount,
Chennai-16.

.. Respondent

Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the summons served on the petitioner with a note of reference as CSK/10/11 dated 14.02.2011 on the file of the Inspector of Police, St.Thomas Mount, Chennai-16 and quash the said summons.

For Petitioner : No appearance

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

This petition has been filed to call for the records relating to the summons served on the petitioner with a note of reference as CSK/10/11 dated 14.02.2011 on the file of the Inspector of Police, St.Thomas Mount, Chennai-16 and quash the same.

2.The case relates to the year 2011. The petitioner states that he has been in peaceful possession and enjoyment of the house site in S.No.1946, 3rd Lane, St.Thomas Mount, Chennai-16, which was purchased by him on 24.08.2010 by means of a duly registered sale document from one Robert and his family. While so, the respondent police has called the petitioner several times to come to the Police Station for enquiry and the petitioner also appeared. In such circumstances, the impugned notice has been served on the petitioner, which was issued on the basis of the complaint given by one Srilraj of St.Patrick Church, St.Thomas Mount, Chennai-16 relating to the property of the petitioner. Hence this Criminal Original Petition.

3. When this matter came up before this Court on 05.01.2017, this Court dismissed the petition filed for a direction, on the ground that no order has been passed by this Court in the petition right from the year 2011 when the petition was filed and hence there is no point in keeping the petition pending.

4. On a perusal of the papers, it is seen that the petitioner has not made out any ground to quash the summons issued by the respondent. Hence the Criminal Original Petition is dismissed and the respondent is at liberty to proceed in accordance with law.

s/d-
Assistant Registrar

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Sub-Assistant Registrar

To

1. The Inspector of Police,
St. Thomas Mount Police Station,
St. Thomas Mount,
Chennai-16.
2. The Public Prosecutor, High Court,
Chennai-600 104.

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