

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.3902 of 2013
and M.P.No.1 of 2013

Muthoot Fincorp Ltd.,
rep. By its Area Manager
A.Alagar

...Petitioner

Vs

The State by
The Inspector of Police,
B-8, Varity Hall Police Station (Crime),
Coimbatore.

...Respondent

Criminal Original Petition filed under Section 482
Cr.P.C. to call for the records on the file of the respondent
relating to the summon dated 15.12.2012 to the petitioner in
Crime No.953 of 2012 and quash the same.

For Petitioner : M/s.Sai Bharath and Ilan

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

ORDER

The present criminal original petition has been filed
to call for the records on the file of the respondent relating
to the summons dated 15.12.2012 to the petitioner in Crime
No.953 of 2012 and quash the same.

2. The summon was issued straightaway directing the
petitioner to produce the jewels which were pledged in their
non-banking finance company, before the Investigating Officer on
21.12.2012. The learned counsel for the petitioner submitted
that this sort of summons cannot be issued prior to commencement
of investigation.

3. The learned Additional Public Prosecutor fairly submitted that the summon which is impugned in this petition may be quashed with a direction to issue fresh /proper summons.

4. Recording the said submission made by the learned Additional Public Prosecutor, the summon impugned in this Criminal Original Petition is quashed and the respondent is directed to issue a proper/ fresh summon to the petitioner. On receipt of the same, the petitioner shall cooperate with the investigation.

5. The Criminal Original Petition is disposed of accordingly. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sbi

To

1. The Inspector of Police,
B-8, Varity Hall Police Station (Crime),
Coimbatore.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Sai Bharath Illan, Advocate, S.R.No.4984

EV(CO)

RS(14/02/2017)

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Cr1.O.P.No.3902 of 2013