

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.18755 of 2018

and

Crl.MP.No.9920 of 2018

1.Rossiah
2.Arumugam
3.Dharmaraj
4.Sankaran
5.Sam Ramesh Raj
Petitioners/Defacto Complainant

...

Vs

State by

1.The Deputy Commissioner of Police
Madhavaram Range,
Madhavaram
Chennai-600 110.

2.The Inspector of Police
Madhavaram Police Station
Madhavaram
Chennai-600 110.

...Complainant/ Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records pertaining to C.No.66 of 2018 dated 17.07.2018 on the file of the Inspector of Police, M1-Madhavaram Police Station, Madhavaram, Chennai and quash the same.

For Petitioner : Mr.S.M.Nandhie Devhan

For Respondents : Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to call for the records pertaining to C.No.66 of 2018 dated 17.07.2018 on the file of the Inspector of Police, M1-Madhavaram Police Station, Madhavaram, Chennai and quash the same.

2. There appears to be some dispute between the office bearers of Madhavaram Truck Terminal Complex Welfare Association, in connection with which, the complaints were lodged to the Inspector of Police, M1-Madhavaram Police Station. Thereafter, the respondent police have issued summons to the petitioners to appear before the Deputy Commissioner of Police, Law and Order, M1-Madhavaram Police Station, Chennai and present their case. Challenging the summons, the petitioners are before this Court.

3. Heard the learned counsel for the petitioners, who submitted that the petitioners have gone twice, however, the Deputy Commissioner of Police, insisting upon the petitioners to execute a bond orally.

4. This Court gave its anxious consideration to the submission of the learned counsel for the petitioners.

5. It is seen that no order has been passed by the Deputy Commissioner of Police requiring the petitioners to execute a bond. What has been produced is only summons. In the opinion of this Court, the summons per se cannot be a subject matter of judicial review inasmuch as the petitioners have been only called to present their case. The petitioners may also appear before the Deputy Commissioner of Police with their advocate, if so required. Hence, this petition is closed with liberty to the petitioners to approach this Court as and when orders are passed prejudicially to them. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

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To

1. The Deputy Commissioner of Police
Madhavaram Range,
Madhavaram
Chennai-600 110.

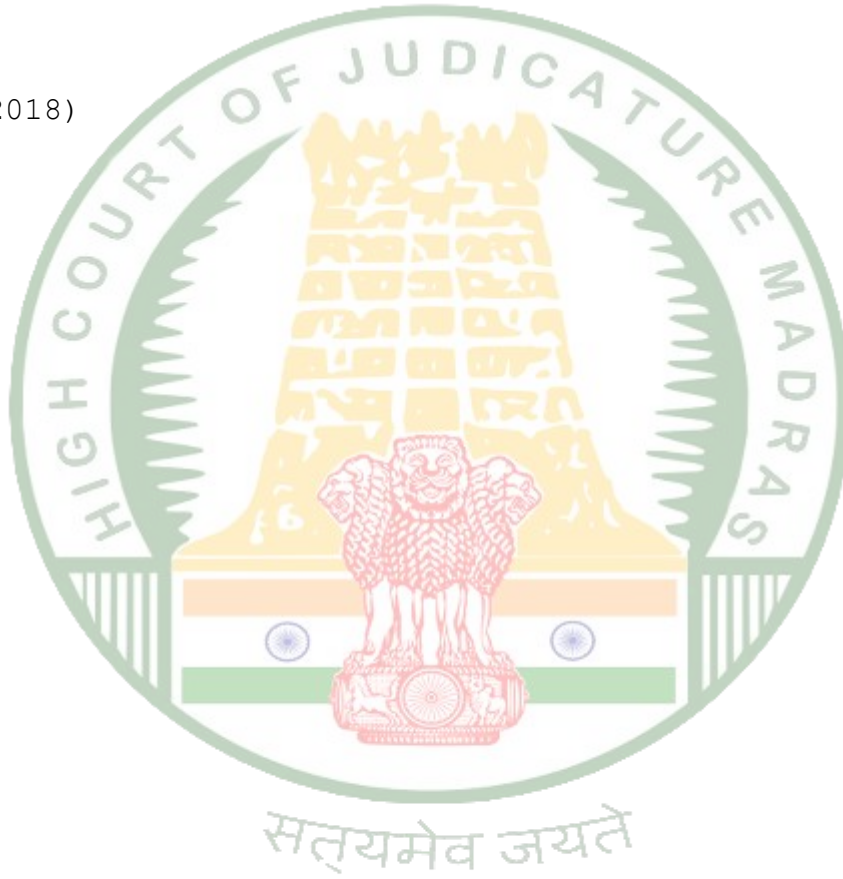
2. The Inspector of Police
Madhavaram Police Station
Madhavaram
Chennai-600 110.

3.The Public Prosecutor
High Court, Madras.

+1 CC to Mr.S.M.Nandhie Devhan, Advocate sr 50183.

Cr1.OP.No.18755 of 2018

SP (27/07/2018)



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