



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD]Nos.12563 to 12572 & 12712 to 12716 of 2018

and

Crl.M.P.[MD]Nos.5702 to 5721 & 5785 to 5794 of 2018

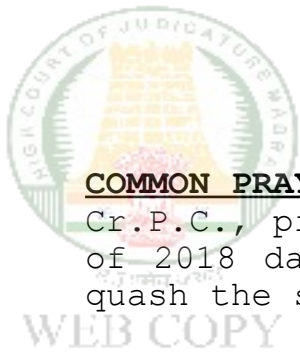
Mohamed Naniyaar	: Petitioner in Crl.O.P.[MD]No.12563/18
Sumsulla	: Petitioner in Crl.O.P.[MD]No.12564/18
Azees Rahuman	: Petitioner in Crl.O.P.[MD]No.12565/18
P.A.Hyder Ali	: Petitioner in Crl.O.P.[MD]No.12566/18
Irshath Ahamed	: Petitioner in Crl.O.P.[MD]No.12567/18
Syed Ali	: Petitioner in Crl.O.P.[MD]No.12568/18
Harish	: Petitioner in Crl.O.P.[MD]No.12569/18
Subair Ahamed	: Petitioner in Crl.O.P.[MD]No.12570/18
Syed Ibrahim	: Petitioner in Crl.O.P.[MD]No.12571/18
Abubakkar Siddiqe	: Petitioner in Crl.O.P.[MD]No.12572/18
Roshan	: Petitioner in Crl.O.P.[MD]No.12712/18
Mohamed Mydeen	: Petitioner in Crl.O.P.[MD]No.12713/18
M.Haji Mohamed	: Petitioner in Crl.O.P.[MD]No.12714/18
M.N.Shahul Hameed Bathusha	: Petitioner in Crl.O.P.[MD]No.12715/18
Rabeek	: Petitioner in Crl.O.P.[MD]No.12716/18

Vs.

.The Executive Magistrate Cum the
Deputy Commissioner of Police,
O/o. The Executive Magistrate Cum the
Deputy Commissioner of Police,
Tirunelveli.

2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli.
(Crime No.181 of 2018)

: Respondents in all Criminal Original Petitions



COMMON PRAYER: Criminal Original Petitions filed under Section 482 Cr.P.C., praying to call for the records pertaining in E.M.C.No.62 of 2018 dated 13.06.2018 on the file of the respondent No.1 and quash the same as illegal.

For Petitioner : Mr.S.M.A.Jinnah
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)
[In all Criminal Original Petitions]

COMMON ORDER

This Criminal Original Petitions have been filed to quash the proceedings in EMC No.62/2018 dated 13.06.2018, on the file of the Executive Magistrate cum the Deputy Commissioner of Police, Tirunelveli.

2.Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondents.

3.Law on these issues have been settled by the Division Bench of this Court in **M.Krishnamurthy and Others Vs. Sub Divisional Magistrate cum Revenue Divisional Officer, Krishnagiri and another**, reported in **2017 (1) MLJ (Crl) 257**, wherein this Court has held that challenge of summon issued under Section 107 of the Criminal Procedure Code, cannot be made directly before this Court.

4.In view of the judgment of the Division Bench cited supra, these Criminal Original Petitions stand dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

Sub Assistant Registrar (CS-III)

To

1.The Executive Magistrate Cum the
Deputy Commissioner of Police,
O/o. The Executive Magistrate Cum the
Deputy Commissioner of Police,
Tirunelveli.



2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P.[MD]Nos.12563 to 12572
& 12712 to 12716 of 2018
16.08.2018

MR
TR/PM/SAR-III (24.09.2018) 3P 4C