



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.08.2018

CORAM

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl OP(MD)No.13503 of 2018

and

Crl MP(MD)No.6075 and 6076 of 2018

- 1.Sabapathy Ambalam
- 2.Dakshniamoorthy Ambalam
- 3.Suryamoorthy Ambalam
- 4.Naveenkumar Ambalam
- 5.Jeyaseelan Ambalam
- 6.Viswanathan Ambalam
- 7.Ulaganathan Ambalam ... Petitioners

Vs.

- 1.The Sub Divisional Magistrate - cum -
Sub Collector,
Devakkottai,
Sivagangai District.
- 2.The Taluk Executive Magistrate cum Tahsildar,
Singampunari Taluk,
Sivagangai District.
- 3.The Inspector of Police,
S.S.Kottai Police Station,
Sivagangai District. ...respondents

PRAYER:- Petition filed under Section 482 of Criminal Procedure Code, to call for the records in relating to the proceedings of the 2nd respondent in Na.Ka.No.A1/2425/2018 dated 26.06.2018 and quash the same.

For Petitioners : Mr.A.K.Manickam
For Respondents : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl Side)

ORDER

This criminal original petition has been filed challenging the summon issued by the first respondent in Na.Ka.No.A1/2425/2018 dated



26.06.2018 under Section 111 of the Criminal Procedure Code.

2.Law on this issue has 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 (Cr1) 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.

3.In view of the judgment of the Division Bench cited supra, this criminal original petition stands dismissed. Consequently, CRLMP(MD)No.6075 and 6076 of 2018 are closed.

Sd/
Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar (CS-II)

To

1.The Sub Divisional Magistrate - cum -
Sub Collector,
Devakkottai,
Sivagangai District.

2.The Taluk Executive Magistrate cum Tahsildar,
Singampunari Taluk,
Sivagangai District.

3.The Inspector of Police,
S.S.Kottai Police Station,
Sivagangai District.

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

Cr1 OP(MD)No.13503 of 2018
20.08.2018

DSK
KK/SV/SAR-2/05.09.2018/2P-5C