



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.11.2018

CORAM:

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.(MD).No.19874 of 2018

and

Cr1MP(MD)Nos.9112 and 9113 of 2018

1.R.Sankaran

2.S.Ramakrishnan

3.A.Jeganathan

4.J.Karthik @ Karthikeyan

5.S.Babu Bjirayulu

...Petitioners 1 to 5/'B' Party

Vs.

1.The Executive Magistrate cum
The Revenue Divisional Officer,
Tenkasi Division,
Tirunelveli District.

2.The Inspector of Police,
Tenkasi Police Station,
Tirunelveli District.
[Crime No.164 of 2018]

...Respondents/Complainants

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the impugned order in Na.Ka.No.A2/MCP.No.16/2018 dated 31.07.2018 on the file of the respondent No.1 and quash the same as illegal.

For Petitioner :Mr.I.Pinaygash

For Respondents :Mr.K.Suyambulinga Bharathi,
Government Advocate(crlside)

O R D E R

This petition is filed challenging the summon issued by the first respondent in his proceedings in Na.Ka.No.A2/MCP.No.16/2018 dated 31.07.2018 under Section 117 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 111 of the Criminal Procedure Code, cannot be made directly before this Court.

3.The first respondent is directed to complete the pending proceedings within a period of one month from the date of receipt of copy of this order.



4. With the above direction, the criminal original petition is disposed of. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Executive Magistrate cum
The Revenue Divisional Officer,
Tenkasi Division,
Tirunelveli District.
2. The Inspector of Police,
Tenkasi Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr. I. Pinaygash Advocate in SR.No.94549

Cr1.O.P. (MD) .No.19874 of 2018
02.11.2018

PSSKN SAR4 07.12.2018 2P 5C