



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2018

CORAM:

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.(MD).No.16318 of 2018
and
CrI.M.P.(MD)No.7237 of 2018

Selvakumar

...Petitioner

Vs.

1.State represented by
Inspector of Police,
All Women Police Station,
Geeyapuram,
Trichy District.

... 1st Respondent/Complainant

2.Bharani @ Vijayalakshmi

... 2nd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to call for the records in connection with the Summon No. Not Known of 2018 on the file of Inspector of Police, All Women Police Station, Geeyapuram, Trichy District and quash the same.

For Petitioners

:Mr.B.Prabhu Sudha

For R-1

:Mr.M.Chandra Sekaran
Additional Public Prosecutor

O R D E R

This petition has been filed to quash the summon issued by the first respondent under Section 160 of Cr.P.C.

2.The learned counsel for the petitioner would submit that a false case has been given against the petitioner by the second respondent and the first respondent ought not to have issued a summon under Section 160 of Cr.P.C.

3.This Court does not find any merit in this petition. If the petitioner has anything to say on the complaint given by the second respondent, he has to appear before the first respondent and give his explanation. The petitioner does not have a right to challenge the summon issued by the first respondent. It is within the jurisdiction of the first respondent, to issue the summon under Section 160 of Cr.P.C., when the power is available, the petitioner cannot challenge the summon issued by the first respondent. There



are no merit in this petition. Hence, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is also closed.

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/True Copy/

Sd/-

Assistant Registrar(CO)

Sub Assistant Registrar(CS-IV)

To

- 1.The Inspector of Police,
All Women Police Station,
Geeyapuram, Trichy District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO M/S.B.PRABHU SUDHA, ADVOCATE IN S.R.NO.84574.

LS

DS RSK SAR-4:24.09.2018: 2P/4C

Cr1.O.P. (MD) .No.16318 of 2018
12.09.2018