

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.11926 of 2019  
and  
CrI.M.P.No.6194 of 2019

N. Somasundaram

... Petitioner

Vs.

1. The State of Tamil Nadu rep. by its  
Inspector of Police (Law and Order),  
B-1, Sivakanchi Police Station,  
Big Kancheepuram, Kancheepuram District.
2. N.Ambujam
3. A.N.Ravikulathilagam
4. A.N.Ilayaperumal
5. N.Udayabanu
6. The Director General of Police,  
Tamil Nadu at Chennai.
7. The Superintendent of Police,  
Kancheepuram District at Kancheepuram.
8. The Deputy Superintendent of Police,  
Kancheepuram.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to Police Complaint, dated 26.09.2018 and its consequential police summon, dated 08.01.2019, issued by the first respondent to the petitioner under Section 160 of the Code of Criminal Procedure on the file of the Inspector (Law and Order), B-1, Sivakanchi Police Station, Big Kancheepuram, Kancheepuram District and quash the same.

For Petitioner : Mr.B.Dayaalan

For R1, R6 to R8 : Mr.M.Mohamed Riyaz  
Addl. Public Prosecutor

ORDER

The Criminal Original Petition filed by the petitioner under Section 482 Cr.P.C. to call for the records pertaining to Police Complaint, dated 26.09.2018 and its consequential police summon, dated 08.01.2019, issued by the first respondent to the petitioner under Section 160 of the Code of Criminal Procedure on the file of the Inspector (Law and Order), B-1, Sivakanchi Police Station, Big Kancheepuram, Kancheepuram District and quash the same.

2.The learned counsel appearing for the petitioner would submit that the police complaint dated 26.09.2018 of the respondents 2 to 5 / defacto complainants is a false complaint and its consequential police summon dated 08.01.2019 passed by the 1<sup>st</sup> respondent police is illegal, contrary to law. Hence, prays for appropriate relief.

3.It is seen that the petitioner has filed a petition to quash the summon issued by the 1<sup>st</sup> respondent for enquiry pursuant to the complaint lodged by the complainant. This court is not inclined to quash the summon dated 08.01.2019, issued by the 1<sup>st</sup> respondent. However, the 1<sup>st</sup> respondent is hereby directed to complete the investigation on the complaint lodged by the defacto complainants after conducting due enquiry and also after giving an opportunity of hearing to the counterparts within a period of four weeks from the date of receipt of a copy of this order.

4.Accordingly, this criminal original petition stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

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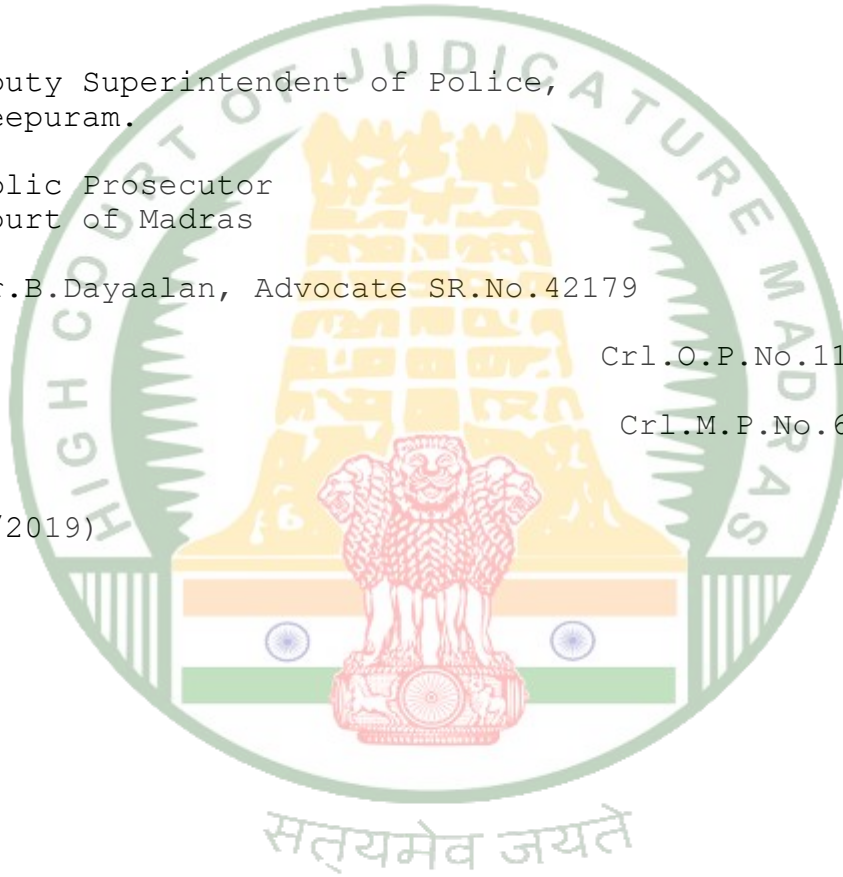
To

1. The Inspector of Police (Law and Order),  
B-1, Sivakanchi Police Station,  
Big Kancheepuram, Kancheepuram District.
2. The Director General of Police,  
Tamil Nadu at Chennai.
3. The Superintendent of Police,  
Kancheepuram District at Kancheepuram.
4. The Deputy Superintendent of Police,  
Kancheepuram.
5. The Public Prosecutor  
High Court of Madras

+1cc to Mr.B.Dayaalan, Advocate SR.No.42179

Crl.O.P.No.11926 of 2019  
and  
Crl.M.P.No.6194 of 2019

LN(CO)  
GMY(07/06/2019)



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