

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.18162 of 2019
and
Crl.M.P.No.9202 of 2019

R.Amburosh

... Petitioner

-Vs-

1. State rep by;
The Inspector of Police,
All Women Police Station,
Harur,
Dharmapuri District.

2. K.Sugumar

... Respondents

Prayer:

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the entire records connected with the impugned Summon dated 02.07.2019 issued by the 1st respondent police and quash the same.

For Petitioner : Mr.K.Thilageswaran

For Respondent : Mr.M.Mohamed Riyaz
Additional Public prosecutor
for R1

ORDER

This Criminal Original Petition has been filed, to quash the impugned Summon dated 02.07.2019 issued under Section 160(1) of Criminal Procedure Code by the first respondent-Police.

2. The grievance of the petitioner is that a betrothal for marriage was held between the petitioner and the daughter of the second respondent on 17.06.2018, after which, when the petitioner approached the second respondent's family to fix a marriage date in the month of January, 2019, they refused to give any consent and told that they are searching another groom

for their daughter. Therefore, the said proposal was stopped their itself. Thereafter, in the month of June, 2019, the second respondent and his family again came up with the marriage proposal to the petitioner's house but the petitioner's parents refused to accept the proposal. Under these circumstances, the second respondent filed a complaint and the first respondent-Police is issuing Summon under Section 160(1) of Cr.PC for appearance of the petitioner even without registering an FIR and therefore, the summon itself is not sustainable.

3. The learned Additional Public Prosecutor submitted that the first respondent-Police will take a decision with regard to registration of FIR within a short time, if the complaint makes out a cognizable offence and thereafter, will proceed in accordance with law.

4. Recording the submissions of the learned Additional Public Prosecutor, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
All Women Police Station,
Harur, Dharmapuri District.

2. The Public Prosecutor,
High Court, Madras. सत्यमेव जयते

CrI.O.P.No.18162 of 2019
and CrI.M.P.No.9202 of 2019

VSNI (CO)
CS/13/08/2019

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