



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.19103 of 2019

Bharathi Kalvi Nilyam, a Society
represented by its secretary
B.Karthikeyan

... Petitioner

-Vs-

1.The Deputy Superintendent of Police,
District Crime Branch,
Salem.

2. The Inspector of Police,
District Crime Branch,
Salem.

3.R.Baskaran

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, to direct the 1st and 2nd respondent not harass the petitioner in the way of summon issued by the 2nd respondent on 01.07.2019 and subsequent date 18.07.2019 fixed the respondent police.

For Petitioner : Mr.Shangara Murali

For respondents : Mr.M.Mohamed Riyaz (for R1 & R2)
Additional Public prosecutor

ORDER

This petition has been filed to direct the 1st and 2nd respondents not to harass the petitioner in the way of summon issued by the 2nd respondent on 01.07.2019 and subsequent date 18.07.2019 fixed the respondent police.

2.The grievance of the petitioner is that there is a civil dispute between the parties and the respondent police is issuing summons under Sections 160(i) and 91 of Cr.P.C. 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 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.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

- 1.The Deputy Superintendent of Police,
District Crime Branch,
Salem.
2. The Inspector of Police,
District Crime Branch,
Salem.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Shangaramurali, Advocate Sr.60956

Cr1.O.P.No.19103 of 2019

srg 31/07/2019