



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2019

CORAM:

WEB COPY

**THE HONOURABLE MR. JUSTICE N. SESHASAYEE**

Crl.O.P.[MD]No. 22468 of 2018

Mahalingam

: Petitioner

**Vs.**

1. The Deputy Superintendent of Police,  
District Crime Branch,  
Trichy District, Trichy.  
(DCB No. 73/DCB/Tapal/TRI/2018)

2. A.Kannan

: Respondents

(R2 impleaded as per order of this Court  
dated 06.03.2019 in Crl.MP(MD)No.1383/2019)

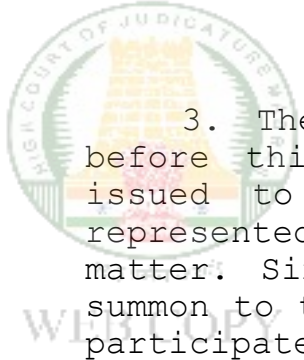
**PRAYER:** Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records and quash the same, against the petitioner in DCB No.73/DCB/Tapal/TRI/2018, on the file of the District Crime Branch, Trichy District, Trichy.

|                  |                                                              |
|------------------|--------------------------------------------------------------|
| For Petitioner   | : Mr.KA. Raamakrishnan                                       |
| For Respondent-1 | : A.P.G.Ohm Chairma Prabhu<br>Government Advocate [Crl.Side] |
| For Respondent-2 | : Mr.C.M.Arumugam                                            |

**ORDER**

The Criminal Original Petition has been filed, to call for the records and quash the same, against the petitioner in DCB No.73/DCB/Tapal/TRI/2018, on the file of the District Crime Branch, Trichy District, Trichy.

2. When the matter is taken up for hearing, the learned Government (Criminal Side) submitted that the impugned summon does not indicate the provision of law. He further submitted that a fresh summon will be issued, indicating the purpose for enquiry and the relevant provision of law for entertaining the petitioner. The above said statement was recorded and accordingly, the respondent is directed to issue a fresh summon to the petitioner with appropriate provisions of law.



3. The defacto complainant/proposed respondent-2 is appeared before this Court and represented that the impugned summon was issued to the petitioner based on his complaint. He further represented that, he filed a petition to implead himself in the matter. Since this Court directs the respondent to issue a fresh summon to the petitioner for enquiry based on his complaint, he may participate in the said proceedings and place the relevant materials before the concerned officer.

4. With the above observations, the Criminal Original petition is disposed of. No costs.

Sd/-  
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

**To**

1. The Deputy Superintendent of Police,  
District Crime Branch,  
Trichy District, Trichy.
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.C.M.ARUMUGAM, Advocate ( SR-52774[F] dated 08/03/2019 )

KSA

TE : 25/03/2019 : 2P/4C

Cr1.O.P.[MD]No.22468 of 2018  
06.03.2019