



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD)No.12431 of 2019

and

Crl.M.P.(MD)No.7783 of 2019

WEB COPY

1. Chandhra Sekar
2. Mohan
3. Nadesan
4. Thankappan
5. Parameswaran
6. Rajesh
7. Vijayakumar
8. Sucheendran

...Petitioners/Respondents

-Vs-

- 1.The Sub Divisional Magistrate Cum Sub Collector,
Padmanabapuram Sub Division,
Padmanabapuram,
Kanyakumari District.

... 1st Respondent

- 2.The Inspector of Police
Colachel Police Station,
Kanyakumari District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the notice issued by the 1st respondent vide A2 / MC 20 / 2019 dated 08.08.2019 and quash the same.

For Petitioners : Mr.K.P.Narayanakumar
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)

ORDER

This petition has been filed challenging the notice issued by the first respondent vide A2/MC20/2019 dated 08.08.2019 for the proceedings initiated under Section 107 of Cr.P.C.

2.Heard both sides.

3.The learned counsel for the petitioners would submit that on the date of hearing, they appeared and the first respondent did not even conduct any enquiry. Therefore, the petitioners sought for quashment of summon.



4.It is seen that it is only a summon, calling for the petitioners to attend the enquiry for the proceedings initiated under Section 107 of Cr.P.C., cannot be quashed at this stage. However, the petitioners are directed to submit their written submission before the first respondent and on receipt of the same, the first respondent is directed to complete the enquiry and pass order on merits in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

5.With the above directions, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

1.The Sub Divisional Magistrate Cum Sub Collector,
Padmanabapuram Sub Division,
Padmanabapuram,
Kanyakumari District.

2.The Inspector of Police
Colachel Police Station,
Kanyakumari District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.P.NARAYANA KUMAR, Advocate (SR-86089[F] dated
10/09/2019)

Crl.O.P.(MD)No.12431 of 2019
06.09.2019

ls
JM/24.09.2019/2P/5C