



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2019

CORAM:

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

Crl.O.P.(MD) No.14137 of 2019

and

Crl.M.P(MD)No.8584 of 2019

N.Suresh

...Petitioner

Vs.

The Inspector of Police
Nalatinpudur Police Station
Nalatinpudur, Tuticorin

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in pursuant to the notice under Section 41-A of Cr.P.C dated 23.09.2019 issued by the respondent police and quash the same.

For Petitioner : Mr.S.J.Chakkaravarthy

For Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate(Crl.Side)

ORDER

This petition has been filed seeking direction to quash the notice under Section 41-A of Cr.P.C dated 23.09.2019

2. It is seen from the notice under Section 41(A) Cr.P.C that the petitioner was directed to appear before the Inspector of Police, Nalationpudur on 25.09.2019 and now the date of enquiry is also over, therefore the petition has become infructuous.

3.However, it is also seen that notice under Section 41(A) Cr.P.C was issued only for enquiry. The petitioner ought to have appeared before the respondent on 25.09.2019, so that respondent might have conducted enquiry in the manner known to law. Further the petitioner is directed to appear before the respondent on fresh summons.

4. With the above direction, this Criminal Original Petition is disposed of

Sd/-

Assistant Registrar()

// True Copy //



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To:

1. The Inspector of Police
Nalatinpudur Police Station
Nalatinpudur
Tuticorin

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

+1CC TO MR.S.J.CHAKKARAVARTHY, Advocate Sr. No. 91309

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SV2(CO)
TR(30.10.2019) 2P 4C