

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 14562 of 2020

and

CrI.M.P.No.5555 of 2020

Rani,
W/o. Munuswamy,
Residing at No.2/206,
Udaiyar Street, Adhiyaman Kottai,
Nallampallai Taluk,
Dharmapuri - 636 807. ...Petitioner/Defacto Complainant

Vs

1. The Inspector of Police,
K7, ICF Police Station,
Chennai - 600 038.
(Crime No.515 / 2020) ...1st Respondent/Complainant
2. Mrs.Bhuvaneshwari, (F/36)
W/o. Late Kennedy,
550/5, 8th Street,
ICF, South Colony,
Chennai - 600 038. ...2nd Respondent/Accused

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in Crime No.515 of 2020, and quash the summon-notice proceedings dated 11.08.2020 on the file of the first respondent.

For Petitioner : Mr.Ravindra Ram
For Respondents : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

This petition has been filed to quash the summon-notice proceedings dated 11.08.2020 in Crime No.515 of 2020, on the file of the first respondent.

2.The learned counsel for the petitioner would submit that the petitioner lodged complaint and after a small struggle, the first respondent registered the case in Crime No.515 of 2020 for the offences under sections 448, 294(b), 323 & 506(i) IPC as

against the accused persons. The first respondent only to help the accused namely the second respondent herein, trying to close the FIR. Therefore, he has issued summons in the pandemic circumstances of Covid-19, but the petitioner is not able to appear before the first respondent. He has further submitted that the petitioner is ready and willing to appear before the first respondent for enquiry, since the lock down has been now lifted.

3.The learned Additional Public Prosecutor submitted that now the petitioner can come even before the first respondent in person for enquiry.

4.Considering the above submission, the earlier summons dated 04.08.2020 thereby calling upon the petitioner to appear before the first respondent on 17.08.2020 has become infructuous. However, the petitioner is directed to appear before the first respondent on 28.09.2020 for investigation in Crime No.515 of 2020. On such appearance of the petitioner on 28.09.2020 the respondent police is directed to complete the proceedings in accordance with law.

5. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

MPA

To

1. The Inspector of Police,
K7, ICF Police Station,
Chennai - 600 038.

2. The Public Prosecutor,
High Court of Madras,
Madras.

CRL.O.P.No. 14562 of 2020
and
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JP (CO)
KKV/23/09/2020