

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2020

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.4235 to 4237 of 2017

and Crl.MP.Nos.3148, 3149 & 3147 of 2017

P.Thirumuruga Veera Pandiayan

... Petitioner
(in all Crl.OPs)

Vs.

1.Baskar

2.The Deputy Superintendent of Police,
Vazhapadi & Salem District.

... Respondents
(in all Crl.OPs)

Common Prayer: Criminal Original Petitions filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the impugned summons in C.Nos.11/SDO/VPY/17, 16/SDO/VPY/17 & 20/SDO/VPY/17 dated 05.02.2017, 13.02.2017 and 17.02.2017 to the petitioner and quash the same.

For Petitioner : P.Vijendran
(in all Crl.OPs)

For Respondents : Mr.K.Prabakaran
Additional Public Prosecutor for R2
(in all Crl.OPs)

C O M M O N O R D E R

These petitions have been filed to quash the proceedings in C.Nos.11/SDO/VPY/17, 16/SDO/VPY/17 and 20/SDO/VPY/17 dated 05.02.2017, 13.02.2017 and 17.02.2017, respectively on the file of the 2nd respondent.

2.The learned counsel for the petitioner submitted that the petitioner was served with summons under Sections 160 and 91 of Criminal Procedure Code by the 2nd respondent for enquiry on 13.11.2017, 14.02.2017 and 20.02.2017, respectively. It is seen from the summons that the petitioner had encroached upon the lands and threatening to do away the persons, who are obstructing him and other public. He further submitted that the petitioner, being a former President of Panchayat Union, had

been politically victimised. Hence, he filed the above quash petitions to challenge the issuance of summons.

3.The learned Additional Public Prosecutor, on instructions, submitted that the petitioner has got a criminal record and he was a history sheeter and several complaints are pending against him. He further submitted that on receipt of the summons, he had not appeared before the 2nd respondent police for enquiry. On the other hand, he approached this Court and obtained stay. He further submitted that summons are of the year 2017 and now, there is no present requirement for the petitioner. He further submitted that after receipt of these summons in the year 2017, subsequently, the petitioner was also involved in other criminal cases.

4. In view of the above submissions, it is found that the appearance of the petitioner is not required for the summons issued in the year 2017. Hence, nothing survives for adjudication in these petitions. Accordingly, these Criminal Original Petitions are dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AD I)MDU

//True Copy//

Sub Assistant Registrar

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To

1.The Public Prosecutor
High Court, Madras.

2.The Deputy Superintendent of Police,
Vazhapadi & Salem District.

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Cr1.O.P.Nos.4235 to 4237 of 2017
and Cr1.MP.Nos.3148, 3149 & 3147 of 2017

SKS (CO)

KKV/24/09/2020