



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2021

CORAM:

**THE HON'BLE MR JUSTICE G.ILANGOVAN**

CrI.OP(MD)No.10548 of 2021

and

CrI.MP(MD)No.5376 of 2021

WEB COPY

Jeganathan ... petitioner/Respondent  
vs.

1.The Inspector of Police,  
Central Crime Branch,  
Madurai City.

2.The Sub-Inspector of Police,  
Central Crime Branch,  
Madurai City,  
Madurai.

3.V.Karpaga Kabilan ... Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the impugned summon in 56/PG/Cop-MC/Camp/2021 dated 27.07.2021 on the file of the second respondent and quash the same as illegal.

For petitioner : Mr.T.Lajapathi Roy  
For R1 & R2 : Mr.R.Meenakshi Sundaram  
Additional Public Prosecutor  
For R3 : Mr.K.K.Udaya Kumar

### O R D E R

This petition has been filed to quash the impugned summon in 56/PG/Cop-MC/Camp/2021 dated 27.07.2021 on the file of the second respondent.

2.When the matter was taken up for hearing, on 04.08.2021, the petitioner was directed to appear before the Enquiry Officer and co-operate with him. So, on that ground, it was adjourned to 23.08.2021. On that day, the learned counsel for the petitioner has submitted that it is purely a civil transaction and he is ready to appear before the Enquiry Officer as per the direction of this Court.

3.When the matter taken up for hearing today, the learned Additional Public Prosecutor would submit that based upon the representation, dated 20.09.2021, legal advise has been sought by the Enquiry Officer, from the Legal Advisor of Superintendent of Police, Madurai and the same has been circulated before this Court.



4. Since the matter has been pending at the conclusion stage, this petition has become infructuous. Depending upon the outcome of the legal advise, further action can be taken, the petitioner may work out his remedy through appropriate proceedings.

5. But, the learned counsel for the petitioner would submit that even now, the harassment continues. As mentioned above, the enquiry has been completed and pending only for getting legal advise from the concerned Officer.

6. So, as mentioned above, the petitioner may work out his remedy through appropriate proceedings and if any trouble arises in future, he may approach this Court.

7. With the above said liberty, this petition is disposed of as infructuous. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (A.D.I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dss

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Inspector of Police,  
Central Crime Branch, Madurai City.
- 2.The Sub-Inspector of Police,  
Central Crime Branch, Madurai City, Madurai.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate ( SR-29711[F] dated 21/09/2021 )

+1 CC to M/s.K.K.UDAYAKUMAR, Advocate ( SR-29730[F] dated 21/09/2021 )

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