



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.19796 of 2021

and

Crl.M.P. (MD) No.11126 of 2021

WEB COPY

Vasantha

... Petitioner

Vs.

1.State rep. by its
The Inspector of Police,
Anti Land Grabbing Cell,
Tirunelveli District.

2.Shanmugavel

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the impugned summon issued under Sections 91 and 160 of Cr.P.C dated 08.12.2021 on the file of the first respondent Police and quash the same.

For Petitioner : Mr.C.Susi Kumar
For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor for R1.
Mr.R.Anand for R2.

O R D E R

Heard the learned counsel on either side.

2.The petitioner challenges the impugned summon issued under Sections 91 and 160 of CrPC. The petitioner has been called upon to appear before the first respondent on 08.12.2021. The contention of the petitioner's counsel is that when no FIR has been registered against the petitioner, she cannot be summoned. The issue is no longer *res integra*. Therefore, the impugned summon issued against the petitioner is quashed. This criminal original petition is allowed. However, the first respondent is directed to take action in accordance with the law on the basis of the second respondent's complaint within a period of two weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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.

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- To:
- 1.The Inspector of Police,
Anti Land Grabbing Cell,
Tirunelveli District.
 - 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P(MD)No.19796 of 2021
14.12.2021

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