



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2021

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.20509 of 2021
and
Crl.M.P. (MD)No.11689 of 2021

Mani ... Petitioner
Vs.

State rep by its

1.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 CrPC dated 24.11.2021 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.R.Mageswaran
For Mr.C.Susi Kumar

For Respondents : Mr.T.Senthil Kumar,
Addl. Public Prosecutor for R1.

O R D E R

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the first respondent.

2.The petitioner challenges the issuance of the impugned summon on the ground that without registering any FIR, the petitioner cannot be summoned. In this regard, the learned counsel for the petitioner places reliance on the earlier orders passed by this Court. It is seen that summon has been issued only under Section 160 of CrPC. The said provision enables the police officer to require attendance of the witness. The petitioner apprehends that he may be made an accused. If the first respondent has any such proposal, the petitioner will be duly notified in advance so that the petitioner will have time to move the concerned Court for the relief of anticipatory bail.



3.This criminal original petition is disposed of accordingly.
Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

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Sub Assistant Registrar(CS)

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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,
Anti Land Grabbing Cell,
Tirunelveli District.
- 2.The Additional Public Prosecutore,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P (MD) No.20509 of 2021
22.12.2021

RD(23.12.2021) 2P 3C