



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.33685 of 2014

and

M.P.No.1 of 2014

J.Karthikeyan @ Chandran

...Petitioner

Vs.

1.State by: Rep By
The Inspector of Police,
Central Police Station,
Tiruppur Town, Tiruppur District.

2.The Inspector of Police,
Crime Branch,
Tiruppur North Police Station,
Tiruppur Town, Tiruppur District.

3.P.Kathirasan

4.P.K.Palanisamy Gounder

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the summon under 91 crpc given by the 1st respondent to the petitioner in C.S.R. No.267 of 2014 dated 10.12.2014 quash the same and pleased to direct the 1st Respondent not to harass the petitioner.

For Petitioner : Mr.M.Easan

For R1 and R2 : Mr.M.Rajendiran
Additional Government Pleader

For R3 : No Appearance

For R4 : Mr.M.Venkadeshnan



O R D E R

The Summon issued under Section 91 of Criminal Procedures Code is under challenge in the present writ petition.

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2. The Sub-Inspector of Police issued the summons with reference to C.S.R.No.267 of 2014 dated 10.12.2014. The said summon is sought to be quashed in the present writ petition on the ground that the petitioner has already submitted an explanation and therefore, the 1st respondent cannot direct the petitioner to hand over the original documents to the 3rd respondent.

3. This Court is of the considered opinion that the respondents are bound to conduct enquiry by following the procedures as contemplated under law. When the summons under Section 91 of the Criminal Procedures Code has been issued, the petitioner is bound to appear before the competent authority and defend his case. If at all the petitioner is of an opinion that the original documents need not be submitted before the authorities competent, then the said statement is to be made with reference to the provisions of law if any in favour of the petitioner or otherwise. The petitioner has to cooperate for conducting of enquiry in the manner known to law.

4. However, in the present writ petition the petitioner has challenged the very summon and already seven years lapsed. This being the factum, no further relief needs to be conducted.

5. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

Jeni/Cse

To

1.The Inspector of Police,
Central Police Station,
Tiruppur Town, Tiruppur District.



2.The Inspector of Police,
Crime Branch,
Tiruppur North Police Station,
Tiruppur Town, Tiruppur District.

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+1cc to the Government Pleader SR.No.8048

W.P.No.33685 of 2014

VG II(CO)
GN(24/02/2022)