

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:23.06.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.NO.20476 OF 2020

AND

CRL.M.P.NOS.8609 & 8611 OF 2020

Kulandaivelu

... Petitioner

Vs.

1. The Executive Magistrate
Cum Revenue Divisional Officer,
Udumalpet,
Tiruppur District.

2. The Inspector of Police,
Gudimangalam Police Station,
Tiruppur District.

3. A.Sivakumar

... Respondents

Prayer:

Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to set aside the impugned order passed by the first respondent made in Na.Ka.No.3183/2020/A2 dated 27/10/2020 by allowing this Criminal Original Petition.

For Petitioner	:	Mr.N.Umapathi
For RR1 & 2	:	Mr.A.Gopinath
		Government Advocate (Crl.side)

O R D E R

This petition has been filed to set aside the impugned order passed by the first respondent made in Na.Ka.No.3183/2020/A2 dated 27.10.2020.

2. Heard both sides and perused the materials available on record.

3. It is seen from the impugned summon dated 27.10.2020, it was issued for enquiry in the proceedings to be initiated under Section 145 of Cr.P.C. Therefore, this Court find no infirmity or illegality in the summons issued by the first respondent herein. Hence, this petition is dismissed and the 1st respondent is directed to issue fresh summon to the petitioner and his counterpart, if any, and proceed in accordance with law.

4. It is made clear that the petitioner can very well go before the first respondent and submit his explanation, if any. On receipt of the said reply, the first respondent can decide whether the proceedings can be initiated under Section 145 of Cr.P.C. or not. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

nti/ata

To

1. The Executive Magistrate
Cum Revenue Divisional Officer,
Udumalpet,
Tiruppur District.
2. The Inspector of Police,
Gudimangalam Police Station,
Tiruppur District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Umapathi, Advocate, S.R.No.39545

Cr1.O.P.No.20476 of 2020

BP(CO)
PM/18/07/2022