



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2022

CORAM:

**THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR**

**CRL.OP (MD) No.4895 of 2019**

**and**

**Cr1.M.P (MD) No.3042 of 2019**

WEB COPY

Seenivasan ... Petitioner/Accused /De-facto Complainant

**-vs-**

1. The State, Represented by  
The Inspector of Police,  
Panagudi Police Station,  
Tirunelveli District.  
(Crime No. 292 of 2017) ...Respondent/Respondent/Complainant
2. The Sub Inspector of Police,  
Panagudi Police Station,  
Panagudi,  
Tirunelveli District. ... Respondent/Complainant/Complainant
3. Arulselvam .... Respondent/Respondent/Accused

**PRAYER** : Criminal Original Petition filed under Section 482 Cr.P.C, to call for the impugned summon dated 19.03.2019 issued by the second respondent under Section 41 (A) of Cr.P.C in connection with Crime No. 292 of 2017, on the file of the first respondent and quash the same.

For Petitioner : Mr.S.PALANI VELAYUTHAM, Advocate  
For R1& R2 : Mr.R.SIVAKUMAR  
Government Advocate (Cr1. Side)  
For R3 : No Appearance

**ORDER**

The above Criminal Original Petition has been filed seeking orders to call for the impugned summon dated 19.03.2019 issued by the second respondent under Section 41 (A) of Cr.P.C in connection with Crime No. 292 of 2017, pending on the file of the first respondent and quash the same.

2. It is not in dispute that on the basis of the complaint lodged by the petitioner, FIR came to be registered in Crime No.292 of 2017, dated 15.07.2017, for the alleged offence under Sections 279 and 337 of IPC against the third respondent herein.

3. It is evident from the records that one Rajaiah, has filed a complaint against the petitioner on 02.08.2017 and since that was



not taken into account, he has filed a Writ Petition in W.P.(MD) No.16971 of 2017 and when the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that based on the complaint given by Srinivasan, the present petitioner, enquiry was conducted and it was found that the petitioner alone negligently caused the accident and he was made as accused and that the investigation has been completed and they will file a final report shortly. Recording the submission made by the learned Additional Public Prosecutor, that the writ petition was closed as no further adjudication was required.

4. The learned Government Advocate (Criminal side) would submit that the investigation has already been completed and charge sheet was already laid before the jurisdictional Court.

5. The second respondent is directed to serve copy of the final report to the petitioner. The petitioner is at liberty to file protest petition before the appropriate Court.

6. With the above directions, this Criminal Original Petition is disposed of. Consequently, the connected Criminal Miscellaneous Petition is closed.

Sd/-  
Assistant Registrar (Crl)

// True Copy //

/ /2022  
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.

**To**

1. The Inspector of Police,  
Panagudi Police Station, Tirunelveli District.
2. The Sub Inspector of Police,  
Panagudi Police Station,  
Panagudi, Tirunelveli District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

**CRL.OP(MD)No.4895 of 2019**

**and**

**Crl.M.P(MD) No.3042 of 2019**

**Date:02.02.2022**