



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10736 of 2022

and Cr1.M.P(MD)No.6720 of 2022

WEB COPY

Pulavanchi C.P.Bose @ Kubendiran

... Petitioner

Vs

1. The Additional Superintendent of Police,
Office of the Additional Superintendent of Police,
Cyber Crime,
Thanjavur District.

2. The Inspector of Police,
Office of the Thanjavur District Police,
Cyber Crime,
Thanjavur District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to quash the proceedings in C3/E2459753/IGP/CZ/2022, dated 17.05.2022 on the file of the Additional Superintendent of Police, Cyber Crime, Thanjavur District /First respondent.

For Petitioner : Mr.T.Kumar

For Respondents : Mr.E.Antony Sahaya Prabahar

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C3/E2459753/IGP/CZ/2022, dated 17.05.2022, on the file of the Additional Superintendent of Police, Cyber Crime, Thanjavur District /First respondent.

2.The learned Additional Public Prosecutor submitted that on 04.06.2022, the petitioner and the complainant appeared before the first respondent police and undertook to settle the matter and the same was recorded.

3.The learned counsel appearing for the petitioners has submitted that based on the complaint lodged against the petitioners, they appeared before the first respondent police on 04.06.2022. It is alleged that the matter was settled between the petitioners and the complainant. Thereafter, it is seen that the matter has not been settled and hence, again on 06.06.2022, the petitioners were summoned by the first respondent police to appear on 13.06.2022. Now, the petitioners have questioned the summon dated 06.06.2022.



4.I consider the matter in the light of the submissions made by both parties. On 04.06.2022, the petitioners and the complainant were appeared before the first respondent and agreed to settle the dispute. Again on 06.06.2022, since the matter was not settled, the first respondent police again summoned the petitioners to appear on 13.06.2022. Since the date of enquiry was mentioned as 13.06.2022, the prayer sought for in this petition has become infructuous.

5.Accordingly, this Criminal Original Petition is closed, with a direction to the first respondent police not to summon the petitioners unnecessarily. If needed, the first respondent police is directed to follow the procedure as contemplated under Section 160 of Criminal Procedure Code and comply the requirement of Section 160 of the Code.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

PNM

To

1. The Additional Superintendent of Police,
Office of the Additional Superintendent of Police,
Cyber Crime, Thanjavur District.

2. The Inspector of Police,
Office of the Thanjavur District Police,
Cyber Crime, Thanjavur District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

+1 CC to M/s.T. KUMAR, Advocate (SR-26254[F] dated 16/06/2022)

ORDER IN

CRL.O.P (MD) No.10736 of 2022
and CrI.M.P(MD)No.6720 of 2022

16.06.2022

KG(CO)GC(28.06.2022) 2P 5C

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