



Crl.O.P.(MD) No.1951 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD) No.1951 of 2023

R.Kavin Raja,

: Petitioner

Vs

1. The Superintendent of Police,
Dindigul District, Dindigul

2. The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul

3. The Sub Inspector of Police,
Dindigul Taluk Police Station,
Dindigul

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying
this Court to call for the records and quash the summon with respect to CSR
Number 1646/2022 by the third respondent.



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For Petitioner : Mr.I.Roberty Chandrakumar
For Respondents : Mr.R.Sivakumar
Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed seeking to quash the summon with respect to CSR No. 1646 of 2022 issued by the third respondent.

2.When the matter is taken up for hearing today, the learned Government Advocate (Crl.Side) would submit that on the basis of the complaint lodged against the petitioner, CSR No.1646 of 2022 came to be registered and that the third respondent has issued the impugned summons. The learned Government Advocate (Crl.Side) would fairly concede that they had issued a summons with wrong provisions of law.

3.The learned Counsel appearing for the petitioner would submit that after receipt of the first summon, dated 04.01.2023, the petitioner has sent a reply, but after receiving the same, the third respondent has again issued another summon, NIL dated, directing the petitioner to appear on 19.01.2023.



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4.Considering the above, this Court is of the view that the impugned summon is legally unsustainable and the same is liable to be quashed.

5.Therefore, the impugned summons is hereby quashed. Accordingly, this criminal original petition is allowed. It is open to the respondent police to issue fresh summons to the petitioner under the correct provision of law with required particulars.

02.02.2023

NCC:Yes/No
Index:Yes/No
Internet:Yes/No
lr

To

1. The Superintendent of Police,
Dindigul District, Dindigul

2. The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul

3. The Sub Inspector of Police,
Dindigul Taluk Police Station,
Dindigul

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



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K.MURALI SHANKAR, J.

lr

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