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Crl.O.P.(MD)No.11604 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.06.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD) No.11604 of 2023

and

CRL.MP(MD) No. 9128 of 2023

M.Jeyaraj

...Petitioner

Vs.

The Inspector of Police
Economic Offences Wing – II,
Dindigul District.

...Respondent/complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records pertaining to the summons issued by the Respondent dated 19.06.2023 in connection with a case in Crime No. 1 of 2020 on the file of the Respondent and quash the same.

For Petitioner : Mr.S.Balaji

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This criminal original petition has been filed to call for the entire records pertaining to the summons issued by the Respondent dated 19.06.2023 in connection with a case in Crime No. 1 of 2020 on the file



of the Respondent and quash the same.

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2.Challenging the summon that was issued by the first respondent herein, this petition has been filed. The properties which were involved in Crime No.1 of 2020, bearing registration Nos.TN-72-BD-1337 & TN58-BD-1262 were returned to the petitioner on interim custody by the trial Court by the order dated 17.03.2023 passed in Crl.M.P.No.591 of 2021. Now the vehicles are in interim custody of the petitioner. Pending the above said investigation, summon has been issued to produce the document for the purpose of making investigation. For the purpose of confiscation, the above said vehicle inspection must be undertaken by the first respondent. Only for that purpose, the above said summon has been issued.

3.Since the vehicle was released under interim custody, the first respondent has to approach the concerned trial Court seeking appropriate orders. Then they can make the above said inspection and issue summons. Without approaching the concerned trial Court, they cannot issue summons directly to produce the above said documents, since the property is already under the custody of the Court and only released on interim custody to the petitioner.



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4. With the above said observations, this criminal original petition stands disposed of. Consequently, connected miscellaneous petition is closed.

28.06.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
TM

To

1. The Inspector of Police
Economic Offences Wing – II,
Dindigul District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA. J.

TM

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