



*CrI.O.P.(MD) No.12518 of 2023*

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.07.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

**CrI.O.P.(MD) No.12518 of 2023**

1.Perumalsamy

2.Sridhar

3.Kiritharangopi

... Petitioners

Vs.

1.The Superintendent of Police,  
Thoothukudi District.

2.The Inspector of Police,  
District Crime Branch,  
Thoothukudi.

3.The Inspector of Police,  
V.Puthur Police Station,  
Vilathikulam Taluk,  
Thoothukudi District.

4.Vijay Krishnan

..Respondents



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PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the summons issued by the 2<sup>nd</sup> respondent, dated 28.06.2023 and quash the same as illegal.

For Petitioners : Mr.T.A.Ebenezer

For R1 to R3 : Mr.E.Atony Sahaya Prabahar  
Additional Public Prosecutor

### **ORDER**

This petition is filed seeking for a direction to the respondent No.2 police to quash the summons issued by him dated 28.06.2023.

2.It is submitted by the learned counsel for the petitioners that the petitioners and other persons were given employment by the respondent No.4 by collecting huge amounts and subsequent to the joining in the service, the respondent No.4 has failed to pay the salary, thereby the petitioners have sent a complaint to the respondent No.1, who, in turn, has forwarded the same to the respondent No.3, before whom respondent No.4 has given an undertaking to return the money to the petitioners. However, the respondent No.4 has filed a representation to the respondent No.2, who, in turn, issued the impugned



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summons directing the petitioners to appear before him on 06.07.2023. Aggrieved by the same, the present petition is filed.

3.The learned Government Advocate (Crl.side) submits that the respondent No.4 has made a complaint against the petitioners before the respondent No.1 stating that the petitioners have misappropriated the society money to the tune of Rs.27,00,000/- and the complaint has been forwarded to the respondent No.2 by the respondent No.1.

4.The representation given by the petitioners to the respondent No.3 is altogether different than the representation given by the respondent No.4 to the respondent No.2, basing on which summons have been issued to the petitioners. Since the respondent No.2 has issued summons to enquire the representation of the respondent No.4 that the petitioners have misappropriated Rs.27,00,000/-, the summons issued by the respondent No.2 cannot be quashed. Therefore, the petitioners are directed to appear before the respondent No.2 police and on appearance of the petitioner, the respondent No.2 is directed to consider the



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representation of the respondent No.4 and dispose of the same of them at once within a period of two weeks from the date of receipt of a copy of this order.

5.This Petition is disposed of, accordingly.

Speaking : Yes / No  
NCC : Yes / No  
Internet : Yes / No  
Index : Yes / No

**12.07.2023**

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To

- 1.The Superintendent of Police,  
Thoothukudi District.
- 2.The Inspector of Police,  
District Crime Branch,  
Thoothukudi.
- 3.The Inspector of Police,  
V.Puthur Police Station,  
Vilathikulam Taluk,  
Thoothukudi District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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**DR.D.NAGARJUN. J.**

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**12.07.2023**