



Crl.O.P.(MD)No.16097 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **16.10.2023**

CORAM:

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

Crl.O.P.(MD)No.16097 of 2023

and

Crl.M.P.(MD)No.12805 of 2023

Jeyaraman

...Petitioner/sole accused

Vs.

The Assistant Commissioner of Police,
Dowry Prohibition Wing,
Madurai City.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records for the summon dated 16.08.2023 issued by the respondent and quash the same.

For petitioner : Mr.C.Senthil Murugan
For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

ORDER

This petition has been filed challenging the summon dated 16.08.2023 issued by the respondent.



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2.The contention of the petitioner is that there is a matrimonial dispute between the petitioner and his wife, due to which a case has been registered before the All Women Police Station, Crime Branch, Madurai City and the Inspector of Police had demanded and received a sum of Rs.25,000/- as bribe from the petitioner herein. Hence, he lodged a complaint to the Higher Officials. While so, the respondent herein had, without any reason, issued summons to the petitioner. Hence, the present petition has been filed.

3.The learned Government Advocate (Crl.side) would submit that the complaint was given by the petitioner against the Inspector of Police, All Women Police Station, Madurai City for taking action as if he supported the wife of the petitioner during the course of enquiry. Only on the basis of that complaint, summon has been issued to the petitioner for enquiry. Without appearing for enquiry, he filed the present petition challenging the said summon. He would further, on instructions, submits that Pending this petition, the complaint given by the petitioner was enquired and closed by the respondent police on 29.08.2023.



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4. Even though the matter has been listed today for hearing, there is no appearance on behalf of the petitioner.

5. Considering the facts and circumstances of the case, this Court is of the view that when an enquiry has been undertaken on the complaint given by the petitioner, he ought to have appeared before the respondent police and cooperate to complete the process of enquiry.

6. Since the complaint given by the petitioner was enquired and closed, no further orders can be passed in this petition. Accordingly, this Criminal Original Petition is dismissed as infructuous. Consequently, connected miscellaneous petition is also closed.

16.10.2023

Index : Yes/No
Internet : Yes/No
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G.ILANGO VAN. J.

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To

- 1.The Assistant Commissioner of Police,
Dowry Prohibition Wing,
Madurai City.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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