



WEB COPY

Crl.O.P.(MD)No.15997 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.09.2023**

CORAM:

THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.O.P.(MD) No.15997 of 2023
and Crl.M.P(MD).No.12696 of 2023

Sathya

... Petitioner

Vs.

1.The State rep.by
The Sub-Inspector of Police,
Town Police Station, Thiruppathur,
Sivagangai District.

2.Suriyakumari

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in respect of impugned summon issued under Sections 91 and 160 of Cr.P.C dated 29.08.2023 on the file of the first respondent and quash the same.

For Petitioner : Mr.D.Venkatesh

For R1 : Mr.S.S.Madhavan
Government Advocate (crl.side)



ORDER

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This Criminal Original Petition has been filed challenging the impugned summon issued under Sections 91 and 160 Cr.P.C dated 29.08.2023 by the first respondent Police.

2. Even though the summon has been issued under Sections 91 and 160 Cr.P.C, this Court treats the summon issued by the respondent Police as Section 41(A) Cr.P.C to attend enquiry before the Police and make out a case in respect of the allegations made by the third respondent against him. Hence, the first respondent is hereby directed to conduct enquiry and in the event if any offence is made out in the complaint, the respondent Police is directed to register a case. In such case, 15 days time is granted to the petitioner to approach the competent Court to get the anticipatory bail.

3. With these observations, this Criminal Original Petition is closed. Connected miscellaneous petition is closed.

Index : Yes/No
Internet : Yes/No
ssb

05.09.2023



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To

- 1 The Sub-Inspector of Police,
Town Police Station, Thiruppathur,
Sivagangai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K.K.RAMAKRISHNAN,J

ssb

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