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Crl.O.P.No.2394 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2024

CORAM:

**THE HON'BLE MR.JUSTICE M.S.RAMESH
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN**

**Crl.O.P.No.2394 of 2024
and
Crl.M.P.No.1711 of 2024**

Karthick @ Idumbavanam Karthik

...Petitioner

Vs.

The Deputy Superintendent of Police/AIO,
National Investigation Agency,
Branch Office, Chennai.
RC.No.33/2022/NIA/DLI, dt. 25.07.2022

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to quash the notice issued u/s. 160 of Cr.P.C. Dated 02.02.2024 by
the respondent to the petitioner summoning him to appear before the
respondent on 02.02.2024 at 09.30 a.m. before the respondent office at
09.30 a.m. at No.10, Millers Road, Pursawalkam, Chennai in RC.No.
33/2022/NIA/DLI, dated 25.07.2022 against the petitioner.



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For Petitioner : Mr.S.Xavier Felix

For Respondents : Mr.ARL.Sundaresan,
Assistant Solicitor General
assisted by Mr.R.Karthikeyan,
Special Public Prosecutor

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

The impugned summon, issued under Section 160 of the Criminal Procedure Code dated 02.02.2024, directing the petitioner to appear before the respondent on 02.02.2024 at 09.30 A.M. at Chennai, is under challenge in the present Criminal Original Petition.

2. The reason assigned in the present petition for the petitioner's inability to appear before the respondent is that he had already reached Tiruchirapalli to participate in a protest organised by Naam Tamilar Katchi on 03.02.2024.

3. Mr.T.Sreejith, I.P.S., Superintendent of Police, National Investigation Agency, Chennai, appeared before us through video



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conferencing and stated that the petitioner had sent a request to their office expressing his inability to appear on 02.02.2024 and sought for permission to appear on 05.02.2024 before them. Acceding to his request, permission was granted to him to appear on 05.02.2024, instead of 02.02.2024.

4. In view of the request of the petitioner himself to appear on 05.02.2024 instead of 02.02.2024, which request has also been accepted by the respondent, this Court is of the view that quashing of the impugned summon dated 02.02.2024 is not warranted.

5. In the light of the above observations, the petitioner shall appear before the respondent on 05.02.2024 in connection with the impugned summon dated 02.02.2024. Accordingly, the Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

(M.S.R.,J.) (S.M.,J.)
02.02.2024

Index:Yes/No

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Note: Issue order copy today

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M.S.RAMESH,J.
AND
SUNDER MOHAN,J.

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To
The Deputy Superintendent of Police/AIO,
National Investigation Agency,
Branch Office, Chennai.

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02.02.2024