



Crl.O.P.No.6489 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.6489 of 2024

and

Crl.M.P.No.4781 of 2024

M/s.Manappuram Finance Limited,
Represented by Area Head,
Mr.Golla Srinivas
S/o.Krishna
No.266, Medavakam Main Road,
Vanampet Junction,
Ullagaram, Chennai-600 091

... Petitioner

Vs.

1.The State Rep.by
The Inspector of Police,
D1, Ambattur Police Station,
Chennai
Crime No.1098 of 2023

2.Merry Aspil
3.Bhavani M

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to call for the records relating to impugned summon Dis.No.290/2024 dated 24.01.2024 under 91 of Cr.P.C., issued by the learned Judicial Magistrate, Ambattur pursuant to the Crime No.1098 of 2023 and quash the same with regard to the petitioner.



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For Petitioner : Mr.Sunil Kumar R
For R1 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)

ORDER

The petitioner is a financial company, which advanced loan for jewels and gold. In a criminal case of burglary theft, police has summoned the petitioner under Section 91 Cr.P.C., to produce certain documents.

2. Being aggrieved, the present petition is filed stating that already search of the premises been conducted and therefore, there is no necessity for causing Section 91 Cr.P.C., summon for production of documents.

3. This Court is unable to countenance such arguments, since the search of the premises is not bar for causing summons under Section 91 Cr.P.C., in the matter of this nature. The investigation is to be done to rule out whether the receiver of the stolen property had received it and advanced loan bonafide or knowing that the property is stolen property,



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for that purpose the documents sought to be examined. Hence the

Investigating Officer has caused summons under Section 91 Cr.P.C. Just because search of the premises was conducted earlier, the petitioner cannot challenge the summon under Section 91 of Cr.P.C., and if such request and prayer is entertained, it will be very easy for a receiver of stolen property to screen the material incriminating and take umbrage under the search of their premises. Therefore, this Court is not inclined to interfere in the investigating process on such a filthy ground.

4. Hence, this Criminal Original Petition stands dismissed.

04.04.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Inspector of Police,
D1, Ambattur Police Station,
Chennai

2.The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

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