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Crl.O.P.No.9947 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2024

CORAM

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

Crl.O.P.No.9947 of 2024

and

Crl.M.P.No.6837 of 2024

Veerappan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Omaller Division,
Salem District.

2.R.Shanthi

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to call for the records in notice in Na.Ka.No.01/SDO-O/Camp/2024 dated 16.03.2024, pending on the file of the 1st respondent and quash the same as illegal, arbitrary and abuse of process of law.

For Petitioner : Mr.S.Ramesh Kumar

For R1 : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)



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ORDER

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On a complaint given by one Shanthi, the respondent police has caused summon to the petitioner herein under Section 160 Cr.P.C., to appear and participate in the enquiry on 07.10.2023. The petitioner after participating in the enquiry has come before this Court to quash the said summon on the ground that a similar petition earlier was enquired by the Deputy Superintendent of Police, Salem and same was closed on 10.10.2023. While so, based on the complaint forwarded by the Superintendent of Police, Salem, the Sub Inspector of Police, DCB, has caused summon under Section 161 Cr.P.C., for the very same purpose.

2. The learned Government Advocate (Crl.Side) appearing for the respondent police states that it is only a petitioner enquiry regarding falsification of document pertaining to the property which was originally held by Shanthi. If the petitioner participate in the enquiry and produce documents which are in his favour, enquiry will be closed based on the material available. Unless and until any criminality is made out, the police will not interfere in the civil dispute.



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3. Recording the said undertaking, this Criminal Original Petition is disposed of. Consequently, the connected Criminal Miscellaneous Petition is closed. The petitioner is directed to participate in the enquiry as and when summons received by him.

24.04.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Deputy Superintendent of Police,
Omallur Division,
Salem District.

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



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Dr.G.JAYACHANDRAN,J.

rpl

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