



CrI.O.P.(MD).No.1907 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.02.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.(MD).No.1907 of 2024

and

CrI.M.P.(MD).No.1406 of 2024

P.Balamurugan

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City.

2.The Sub-Inspector of Police,
Central Crime Branch,
Madurai City.

3.P.Ganesh

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records pertaining to the summons issued by the second Respondent to the Petitioner dated 31.01.2024 and quash the same.

For Petitioners : Mr.S.Ramasamy

For Respondent : Mr.B.Thanga Aravindh
Government Advocate
(Criminal Side)



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ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition seeking to quash the summons issued by the second Respondent to the Petitioner dated 31.01.2024.

2. The learned Government Advocate (Criminal Side) on instructions of the Respondents 1 and 2 would submit that the case in Crime No.69 of 2024 pending on the file of the Tallakulam Police Station, Madurai was withdrawn and transferred to the Central Crime Branch, Madurai. Therefore, to hold enquiry, summons was issued. Instead of appearing before the Respondent Police, the Petitioner herein approached this Court seeking direction to quash the summons and the same cannot be considered, as he is arrayed as accused in Crime No.69 of 2024. Therefore, the learned Government Advocate (Criminal Side) prays this Court to dismiss the petition.

3. The learned Counsel for the Petitioner by way of reply submitted that he does not have a case, if there is mention of crime number, he is ready to appear.



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4. Considering the submission of the learned Counsel for the Petitioner and the learned Government Advocate (Criminal Side), the Respondents are directed to issue fresh summons based on the aforementioned crime number before the Central Crime Branch, Madurai.

5. Recording the same, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is dismissed.

20.02.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To

- 1.The Commissioner of Police,
Madurai City.
- 2.The Sub-Inspector of Police,
Central Crime Branch,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

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