



WEB COPY



CrI.O.P.No.31222 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.31222 of 2025
and CrI.M.P.No.21570 of 2025

Shiva Shankar,
S/o Kaliya Perumal

... Petitioner

Vs.

State rep. By
The Inspector of Police,
T-8, Guduvancherry Police Station,
Chengalpattu District.

..Respondent

PRAYER : Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C, to call for records relating to the impugned summon in RC.No.02704/023378/COP-PG. TCP/2025 & RC.No.5381/024951/ M3/PG/TCP/2025 dated 06.11.2025 on the file of the respondent police and quash the same.

For Petitioner : Mr.S.Sairaman

For Respondents : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed seeking to quash the



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impugned summons in RC.No.02704/023378/COP-PG. TCP/2025 &

RC.No.5381/024951/ M3/PG/TCP/2025 dated 06.11.2025 on the file of the respondent police.

2. Learned counsel for the petitioner would submit that a case of money dispute between the parties has been falsely projected as a case of cheating. He would further submit that admittedly, the de facto complainant claims that there was money dispute between himself and the petitioner and the complainant had earlier issued a legal notice dated 24.09.2021 and the petitioner has also sent a reply to the same on 11.10.2021. Thereafter, the complainant has not gone before the Civil Court. Subsequently, he has filed a false complaint before the respondent police, based on which, the respondent had issued summons. He would further submit that the issuance of summons is a clear abuse of process of law and thereby, he seeks to quash the summons.

3. Per contra, the learned Government Advocate (Crl.Side) would submit that one Udayakumar has given a complaint against the petitioner as if the petitioner had received an amount of Rs.1 crore from him for purchase of land and when the complainant asked for return of money, the petitioner is said to have threatened him with firearm. The complainant had given a fresh



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complaint to the Commissioner of Police, Tambaram, which has been forwarded to the respondent police for enquiry and only, in order to enquire the petitioner, summons had been issued.

4. Mr.A.Sivaraman, learned counsel appearing for the complainant/intervener, on instructions, would submit that the petitioner has cheated the complainant to the tune of Rs.1 crore in a land dealing in the year 2021 and when the complainant had asked for return of amount the petitioner had threatened the complainant with firearm. Hence, a complaint has been lodged.

5. From the above submissions, it is seen that only summons had been issued for enquiry. Taking into consideration the fact that the summons had been issued only for enquiry, this Court cannot interfere with the matter, at this stage. However, the respondent police is directed, not to harass the petitioner during enquiry.

6. With the above direction, the Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

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Neutral Citation: Yes/No

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A.D.JAGADISH CHANDIRA, J.

vsi

To

1. The Inspector of Police,
T-8, Guduvancherry Police Station,
Chengalpattu District..
2. The Public Prosecutor,
High Court of Madras.

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