



Crl.O.P.(MD)No.2332 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2025

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.2332 of 2025

and

Crl.M.P(MD) No.1631 of 2025

M.Ganesan

.. Petitioner

Vs.

1. The Superintendent of Police
Thoothukudi District

2. The Sub Inspector of Police
District Crime Branch
SP Office Campus
Thoothukudi District

3. R. Karuppasamy

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the police summons issued by the second respondent dated 30.01.2025 to the petitioner and quash the same as illegal.

For Petitioner : Mr.N.Karthikkanna

For Respondents : Mr.M.Sakthi Kumar
No.1&2 Government Advocate(Crl.Side)



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Crl.O.P.(MD)No.2332 of 2025

ORDER

This Criminal Original Petition has been filed to call for the records relating to the police summons issued by the second respondent dated 30.01.2025 to the petitioner and quash the same as illegal.

2. According to the petitioner, he had been the President of Tiruchendur Parliament Constituency Aadhi Dravidar Welfare Association and one Karuppasamy was the Treasurer in the said Welfare Association. There were two groups in the association and there were some conflicts in the past. While so, with an intention to defame his name a false complaint was lodged by the defacto complainant/third respondent herein. In the year 2023, the third respondent gave a complaint before the Tiruchendur Taluk Police Station and CSR No.807 of 2023 was assigned and thereafter it was closed after enquiry. Again a complaint was lodged before the Superintendent of Police, Thoothukudi District and this time the petitioner attended enquiry and after enquiry it was closed. Thereafter the petitioner filed a Criminal Original Petition before this Court in Crl.O.P(MD)No.14704 of 2024 to not to harass the petitioner and thereafter the CSR was closed. Again the third respondent sent a very similar complaint and the same was also mechanically forwarded to the



second respondent. Based on which the second respondent also issued summons dated 30.01.2025, therefore the issuance of summons is abuse of process of law and the same is liable to be quashed.

3. The learned Government Advocate(Crl.Side) appearing for the respondents 1 and 2 would submit that already the third respondent has given a complaint before the Tiruchendur Police Station and during enquiry the petitioner agreed to pay the amount to the third respondent and thereby the said complaint was closed. Thereafter the petitioner has not repaid the amount, thereby the third respondent once again lodged a complaint before the Superintendent of Police and the same was forwarded to the District Crime Branch, based on which the second respondent has issued summons to the second respondent and therefore there is no merits in the petition and is liable to be dismissed.

4. Heard both sides and perused the materials. According to the petitioner already the third respondent gave a complaint and the same was enquired and closed. Again he preferred a complaint before the Superintendent of Police, Thoothukudi District who had forwarded the same to the District Crime Branch in turn they had issued summons to



Crl.O.P.(MD)No.2332 of 2025

the petitioner based on the complaint forwarded by the Superintendent of Police. There is nothing wrong in the issuance of summons to the petitioner for his appearance for enquiry based on the complaint. It is for the petitioner to bring to the knowledge of the second respondent about the earlier proceedings. Without appearing for the summons the petitioner has challenged the same through this petition. The petitioner not even know the contents of the complaint. Therefore after his appearance on summons only he can explain about the complaint. There are no grounds to quash the summons issued by the second respondent. Hence the present petition has no merits and deserves to be dismissed.

5. Accordingly the Criminal Original Petition stands dismissed.
Consequently connected miscellaneous petition stands closed.

06.02.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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Crl.O.P.(MD)No.2332 of 2025

To

1. The Superintendent of Police
Thoothukudi District
2. The Sub Inspector of Police
District Crime Branch
SP Office Campus
Thoothukudi District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.2332 of 2025

P.DHANABAL,J.

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Crl.O.P.(MD)No.2332 of 2025

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