



Crl.O.P.(MD)No.2486 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :10.02.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD)No.2486 of 2025

and Crl.M.P(MD) No.1698 of 2025

Rajkumar

... petitioners

Vs

1. The State of Tamil Nadu
Represented by the Deputy Superintendent of Police,
Economic Offences Wing-II,
Thirunelveli District.

2. The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.

3. Augustin Paulraj

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records pertaining to the impugned summon in reference No.59 of 2025 issued by the Inspector of Police, Perumalpuram Police Station, Tirunelveli City and thereby, quash the same as illegal.

For petitioner : Mr.A.Ribinson

For R-1 & R-2 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This criminal original petition is filed by the petitioner to quash the

<https://www.mhc.tn.gov.in/> impugned summon in Reference No. 59 of 2025 issued by the Inspector of



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Police, Perumalpuram Police Station, Tirunelveli City.

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2. The learned counsel appearing for the petitioner would submit that the petitioner is one of the depositor of the Blue Max Capital Solutions Private Limited and the Company server was hacked in the year 2019 and the Company was not able to proceed further as it lost valuable datas that were stored in the server. Moreover, due to Covid – 19 situation, the Company decided to wind up its business. The petitioner is not related to the said Company, but he is arrayed as accused in Crime Nos.41, 50, 51, 52 and 53 on the file of the Inspector of Police, City Crime Branch, Thirunelveli City, which were transferred from the Perumalpuram Police Station to the CCB. One of the accused in the above said case had filed a writ petition before this Court in W.P.No(MD).No.18845 of 2021 seeking a direction to treat the F.I.Rs in Crime No.41, 42, 50, 51, 52 & 53 of 2020 on the file of the Inspector of Police, City Crime Branch, Tirunelveli City as statements under Section 161(3) of Cr.P.C in Crime No. 1 of 2020 and thereby, this Court vide its order transferred the F.I.Rs in Crime Nos.41, 42, 51, 52, & 53 of 2020 on the file of the Inspector of Police, City Crime Branch, Tirunelveli City to the Inspector of Police, Economic Offences Wing (EOW), Thirunelveli and all the F.I.Rs have been clubbed together and registered a case in Crime No.1 of 2020. While so, now the 2nd



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respondent has issued summon to the petitioner to appear on 01.02.2025 with regard to the complaint made in Reference No.59 of 2025 and the same is without jurisdiction. Therefore, he challenged the summon through this petition and to quash the same.

3. The learned Government Advocate (Criminal Side) appearing for the respondents would submit that based on the complaint given by the depositors, already so many F.I.Rs have been registered and thereafter, all the F.I.Rs have been transferred to the Economic Offence Wing, Thirunelveli and registered a case in Crime No.1 of 2020. While so, one of the depositor lodged another complaint and based on that complaint they summoned the petitioner to appear before the 2nd respondent police and only for enquiry purpose, they issued summon. Further, already they summoned the petitioner to appear on 01.02.2025, but the petitioner has not appeared before the respondent police.

4. Heard both sides and perused the records.

5. Considering the limited scope of the prayer of the petitioner, without issuing notice to the 3rd respondent, this Court inclined to dispose the petition.



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6. According to the petitioner, based on the complaint given by the depositors, so many F.I.Rs have been registered and all the F.I.Rs have been transferred to the Economic Offences Wing, Tirunelveli and thereafter, single F.I.R in Crime No.1 of 2020 was registered and the same is under investigation. While so, once again, based on the complaint given by one of the depositor, now the 2nd respondent issued summon to the petitioner and therefore, the same is liable to be quashed. According to the respondents no.1 and 2, they received so many complaints as against the petitioner and based on the complaint given by one of the depositor, now they called for enquiry on 01.02.2025. After receipt of notice, the petitioner without appearing for enquiry, he challenging the notice. Since based on the complaint given by one of the depositor, the 2nd respondent issued summon to the petitioner, he has to appear before them and explain all the things. Without responding the summon, the petitioner cannot approach this Court only based on the summon. The petitioner not even know about the crux of the complaint. Therefore, there are no grounds to quash the summon and the summon is also only for a particular day i.e. on 01.02.2025 and the same is time lapsed. In view of the same and discussions, the petitioner is not entitled for reliefs through this petition and the same is liable to be dismissed.



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7. Accordingly, this Criminal Original Petition is dismissed. No costs. Consequently, connected Criminal Miscellaneous Petition is also closed.

10.02.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

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P. DHANABAL, J.,

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1. The State of Tamil Nadu
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2. The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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