



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 14048 of 2026

1. N.Syamala Devi

W/o Raghavulu Naidu, No.24/48, Q

Block, MMDA Colony, Maraimalai Adikal

Street, Arumbakkam, Chennai 600106

Petitioner(s)

Vs

1. The State re. by The Inspector of Police

K-8, Arumbakkam Police Station, Chennai -600106

Respondent(s)

PRAYER

To call for the records relating to the summons dated 09.02.2026 issued by the Learned V Metropolitan Magistrate Court, Egmore, Chennai in CC.NO.327/2026, against the petitioner herein and to quash the same

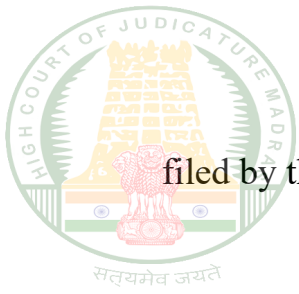
For Petitioner(s): M/S.P.Govindarajan

For Respondent(s): Mr.A. AMARNATH
Government Advocate (CRL. SIDE)

ORDER

The petitioner who has been arrayed as A2 in CC.No.327 of 2026 on a complaint lodged by one Gopalasamy before the learned V Metropolitan Magistrate Court, Egmore, Chennai, has filed this petition.

2.The petitioner submitted that the summons have been mechanically sent showing the case in CC.No.327 of 2026 has been filed based on the complaint



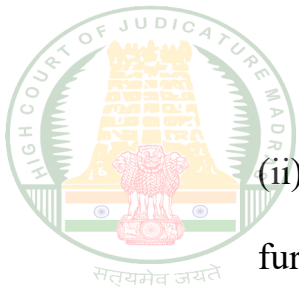
filed by the Inspector of Police, K8, Law and Order.

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3. The contention of the petitioner is that it is a private complaint and as per Section 204 of CrPC, in a private complaint, summons to be accompanied with the complaint copy which has not been done so and therefore, the petitioner approached the V Metropolitan Magistrate Court, Egmore, Chennai, and sought for copies of the complaint, which was again denied and it was periodically adjourned. Finally, when the petitioner had apprised the Trial Court that as per Rule 290 of The Criminal Rules of Practice, 2019, it is not necessary for the Court to insist upon the presence of all the accused for the purpose of furnishing copies under Sections 207 and 208 of the Code. Hence, he requested this Court to pass appropriate orders, so that in future, such mistakes are not committed again.

4. In view of the above, this Court issues the following directions:-

(i) Before issuance of summons, the learned Magistrate has to verify whether it is a police case or a private complaint. If it is a private complaint, the condition under Section 204 of CrPC has to be followed (i.e.,) summons to be accompanied with the complaint copy.



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(ii) In any event, appearance of one of the accused is adequate for furnishing copies and Trial Court not to insist upon the appearance of all accused persons and deny furnishing of copies to accused on the ground of 'not every accused persons present' under Rule 290 of The Criminal Rules of Practice, 2019.

(iii) As per Rule 205, once an accused appears, it is the duty of the Trial Court to serve summons.

5. In this case, now summons and complaint copy have been served belatedly after much persuasion. The Trial Court is directed to henceforth follow the procedure and rules as contemplated under Section 204 of CrPC and Rule 290 of The Criminal Rules of Practice, 2019, in letter and spirit.

6. With the above directions, this Criminal Original Petition is disposed of.

No costs.

08-06-2026

krk

To

1. The learned V Metropolitan Magistrate Court, Egmore, Chennai

2. The Inspector of Police

K-8, Arumbakkam Police Station, Chennai -600106

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



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M.NIRMAL KUMAR J.

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