



WEB COPY



Crl.O.P.No.29882 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2026

CORAM:

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

Crl.O.P.No.29882 of 2025

and

Crl.M.P.No.21837 of 2025

M/s. Renaatus Private Ltd.,
Rep. by Mr.P.Selavasuntharam,
156, Mulamparappu N G Palayam Post,
Erode, Tamil Nadu, India – 638 115.

...Petitioner

Vs.

1. State rep. by,
The Sub-Inspector of Police,
District Crime Branch District Police Office,
Panneer selvan Park, Erode – 638 001.

2. V.S.Prabhu

...Respondents

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, (BNSS), 2023, to call for records and quash the summons issued in C.No.127/SPGDP/DCB/DSP/2025 dated 26.09.2025 on the file of the First Respondent-Police issued as against the petitioner.

For Petitioner : Mr.G.R.Hari

For Respondents : Mr.S.Santhosh, GA(Crl. Side), for R1
: Mr.M.Guruprasad, for R2



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ORDER

This criminal original petition has been filed seeking to quash the summons issued by the 1st respondent in C.No.127/SPGDP/DCB/DSP/2025 dated 26.09.2025, against the petitioner.

2. Learned counsel for the petitioner submitted that based on the complaint given by one Prabhu/the 2nd respondent herein, the 1st respondent police has issued the present impugned summons under Sections 94 & 179 of BNSS, which is not sustainable, since, before registering a complaint, the 1st respondent-police cannot issue such summons under the provisions quoted above. He further submitted that the complaint has been given by the 2nd respondent, solely due to previous enmity and without considering the same, the present summons came to be issued, which is not sustainable. Accordingly, he prayed for setting aside the impugned summons dated 26.09.2025.

3. Per contra, the learned Government Advocate (Crl. Side) appearing for the 1st respondent police submitted that in the complaint given by the 2nd respondent as against the petitioner, since there are allegations requiring enquiry, the present impugned summons dated 26.09.2025 has been issued to the petitioner directing him to appear before the respondent-



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police on 30.09.2025 at about 11.00 am. However, the petitioner failed to appear before the respondent-police on the said date and therefore, nothing survives for further adjudication in this petition.

4. Though very many grounds have been raised by the learned counsel on either side, at the time of arguments, taking into consideration the fact that the date on which the petitioner was directed to appear before the respondent-police for enquiry, vide impugned summons ie., 30.09.2025, has lapsed, this Court is of the view that the prayer sought in this writ petition has become infructuous.

5. This criminal original petition stands closed accordingly. Consequently, the connected miscellaneous petition is also closed.

07.01.2026

skt

Neutral Citation: Yes/No

To

1. The Sub-Inspector of Police,
District Crime Branch District Police Office,
Panneer selvan Park, Erode – 638 001.
2. The Public Prosecutor,
High Court of Madras.

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A.D.JAGADISH CHANDIRA, J.

skt

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and

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