



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2015

Coram

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

**CrI.O.P. (MD) .No.18616 of 2015
and M.P. (MD) Nos.1 and 2 of 2015**

M.Deivendran

.. Petitioner/sole accused

Vs.

1.The State,
Rep. by Inspector of Police,
Thirupalaikudi Police Station,
Thiruvadanai Taluk,
Ramanathapuram District.

2.The Second Grade Executive Magistrate,
Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District.

.. Respondents/Complaints

Prayer: Petition is filed under Section 482 of Cr.P.C. to call for the records in connection with the show cause notice dated 18.08.2015 issued by the second respondent under Section 111 of Cr.P.C. and quash the same as illegal.

For Petitioner : Mr.G.Thalaimutharasau

For Respondents : Mrs.S.Prabha
Government Advocate

ORDER

The petitioner has come forward with this petition challenging the show cause notice, dated 18.08.2015 issued by the second respondent under Section 111 of Cr.P.C. stating that there are likelihood of disturbing public tranquility and breach of peace in a function to be held on 11.08.2015.

2.Heard both sides.

3.The learned counsel for the petitioner submitted that after the function was over, the said notice has been issued and the petitioner has been asked to appear on 28.08.2015 at 11.00 a.m.



4. Admittedly, the function has already been over and that the order to be passed under Sections 107 Cr.P.C. and that Section 111 Cr.P.C. is only preventive in nature. As the function has already been over, there is no need to proceed with the show cause notice dated 18.08.2015 and hence, the same is liable to be quashed.

5. Accordingly, the show cause notice, dated 18.08.2015 passed by the second respondent is quashed and this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (C.S. -II)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Thirupalaikudi Police Station,
Thiruvadanai Taluk, Ramanathapuram District.
2. The Second Grade Executive Magistrate,
Tahsildar, Thiruvadanai Taluk,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.G.Thalaimutharasu, Advocate Sr.No.67485

Akm/15.12.2015/ 2p- 5c/SKN/SK

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