

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2016

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.Nos.1340 to 1349 of 2016

Thirumurugan	... Petitioner in Crl.R.C.No.1340/2016
Vinith	... Petitioner in Crl.R.C.No.1341/2016
Arunkumar	... Petitioner in Crl.R.C.No.1342/2016
Silambarasan	... Petitioner in Crl.R.C.No.1343/2016
Ilayaraja	... Petitioner in Crl.R.C.No.1344/2016
Parveen Kumar	... Petitioner in Crl.R.C.No.1345/2016
Ramki	... Petitioner in Crl.R.C.No.1346/2016
Asokraj	... Petitioner in Crl.R.C.No.1347/2016
Aravinth	... Petitioner in Crl.R.C.No.1348/2016
Pandiyan	... Petitioner in Crl.R.C.No.1349/2016

Vs.

1. First Class Administrative Magistrate
(Executive Magistrate)
cum Revenue Divisional Officer
Ariyalur

2. State rep.by:
The Inspector of Police
Keelpalur Police Station
Ariyalur District

... Respondents in all Crl.R.Cs.

Prayer: Criminal Revisions filed under Section 397 and 401 Cr.P.C to call for the records and set aside the order passed by the first respondent Na.Ka.3/2502/2016 dated (not mentioned) 11/16.

For Petitioner : Mr.R.C.Paul Kanagaraj
in all Crl.R.Cs.

For Respondents : Mr.M.Mohamed Riyaz
in all Crl.R.Cs. Government Advocate
(Crl.side)

COMMON O R D E R

The petitioners, all of whom, have executed bonds under section 107 of Cr.P.C to the satisfaction of the first respondent pursuant to his order in O.Mu.A3/1975/2016 dated 5.10.2016, have been proceeded against under section 122 of Cr.P.C. for breach of conditions of the bond executed by them, in that, they are involved in a case registered in Crime No.114/2016 for offences under sections 147, 294(b), 323 and 506(i) IPC on 30.10.2016. By orders dated 1.11.2016, they have been directed to undergo simple imprisonment upto 3.10.2017. Challenging such orders, present revisions stand filed.

2. Heard the learned counsel for the petitioners and the learned Government Advocate on the above submissions.

3. It is seen that the petitioners are not the accused in case registered in Crime No.114 of 2016 on the file of the second respondent. Therefore, the

very premise on which, proceedings under section 122 Cr.P.C have been initiated against them, falls and as a result, the orders under challenge dated 1.11.2016 cannot hold good.

4. For the aforesaid reasons, the Criminal Revisions stand allowed. The order passed by the first respondent in Na.Ka.3/2502/2016 dated 1.11.2016 is set aside.

20.12.2016

Index:yes/no
ajr

To

1. First Class Administrative Magistrate
(Executive Magistrate)
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2.The Inspector of Police
Keelpalur Police Station
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C.T.SELVAM, J.

ajr

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