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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.2612 of 2016
and Crl.M.P.No.1288 of 2016

1.Ameer Khan
2.Sagubar Sathick .. Petitioners

Vs.

1.The second Class Executive Magistrate,
Kadaladi, Ramanathapuram District

2.The Inspector of Police,
Vallinokkam Police Station,
Ramanathapuram District .. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records relating to the summons in M.C.No.48/2015 on the file of the 1st respondent and quash the same.

For Petitioner :: Mr.R.Venkateswaran
For Respondent :: Mrs.S.Prabha
Government Advocate (Crl. side)

O R D E R

Seeking to quash the case in M.C.No.48/2015 on the file of the 1st respondent, the petitioner has come up with this petition.

2. Heard the learned counsel for the petitioner ; the learned Government Advocate (Crl. Side) for the respondents and I have also perused the materials placed on record.

3. It is seen that on an FIR registered by the respondent police in Crime No.68 of 2015, under Section 107 Cr.P.C., the Tahsildar/Executive Magistrate has initiated proceeding under Section 111 Cr.P.C. and has issued only a show cause notice. Even in the show cause notice, the Tahsildar stated that the petitioner can appear in person or represent through a Pleader. Therefore, it is open for the petitioner to appear before the Tahsildar and put forth his case as to why no bond need to be furnished by him. Therefore, at the stage of show cause notice, this Court will not interfere. Hence, this petition is closed with liberty to work out his remedy in the manner known to law. Consequently connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(crl.side)

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Sub Assistant Registrar

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To
1.The second Class Executive Magistrate,
Kadaladi, Ramanathapuram District

2.The Inspector of Police,
Vallinokkam Police Station,
Ramanathapuram District

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.R.Venkateswaran, Advocate SR.NO.9359

sm:NGM-SS:01.03.2016:2P/5c

Crl. O.P. (MD) No.2612 of 2016

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