



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP (MD) No.3214 of 2016

1.A.Mohamed Kavaan

2.Jakith Akthar @ Abdul Jakith Akthar

..Petitioners

Vs

1.The Sub-Divisional Magistrate Cum

Revenue Divisional Officer,

Uthamapalayam, Theni District.

2.The Inspector of Police

Chinnamanur Police Station,

Chinnamanur,

Theni District.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records of the proceedings in M.C.No.16/2015 on the file of the first respondent and quash the same.

For Petitioners

:

Mr.P.T.Thiraviam

For Respondents

:

Mrs.S.Prabha

Government Advocate(Crl.side)

O R D E R

This petition has been filed to quash the proceedings in M.C.No.16/2015 on the file of the first respondent.

2. Heard Mr.P.T.Thiraviam, learned counsel for the petitioners and the learned Government Advocate(Crl.side) appearing for the State.

3. It is seen that summon has been issued under Section 107 Cr.P.C., asking the petitioners to appear for enquiry for maintaining the breach of peace. This Court will normally not interfere at this stage and it is open to the petitioners to appear with an Advocate of their choice before the Revenue Authorities and give their explanation. Thereafter, if any impugned order is passed, the same could be challenged in the manner known to law.

4. The learned counsel for the petitioner submits that the petitioner appeared twice before the Executive Magistrate and he has not been served with the relevant document. Under such circumstances, the learned Executive Magistrate is directed to issue the relevant document to the petitioner so that the petitioner can put up his defence effectively.

5. With the above direction, Criminal Original Petition is disposed of. Consequently, connected M.P is closed.

Sd/-

Assistant Registrar (CO Dept.)I/c

/True copy/



1.The Sub-Divisional Magistrate Cum Revenue Divisional Officer,  
Uthamapalayam, Theni District.

2.The Inspector of Police,Chinnamanur Police Station,  
Chinnamanur, Theni District

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

+1 CC to Mr.P.T.Thiraviam, Advocate, SR No.10840

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SH/SK-SKN:02.03.2016:2P/5C