



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD) No.13637 of 2017

and

CRL.MP.(MD) No.9161 of 2017

WEB COPY

Sankar

... Petitioner / Accused

Vs.

1. The Administrative Magistrate cum
Deputy Commissioner, of Police, Tirunelveli City,
Tirunelveli District.

2. State represented by
The Sub-Inspector of Police,
Junction Police Station,
Tirunelveli City,
Tirunelveli District.

... Respondents

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the summon EMC.No.102/Sec/Pre/DC/L&O/Tin-c/2017 dated 29.06.2017 issued on 20.07.2017 by the 1st respondent in connection with Crime No.432 of 2017 for the alleged offences under Section 107 of Cr.P.C.

For Petitioner : Mr.B.Santhanam Rajeshkumar
For Respondents : Mr.K.S.Durai Pandian
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to quash the summons dated 29.06.2017 issued by the first respondent in connection with Crime No.432 of 2017 for the alleged offences under Section 107 of Cr.P.C.

2.This Court is of the view that the impugned proceedings is nothing but a show cause notice issued under Section 107 of Cr.P.C., calling upon the petitioner as to why he should not be called upon for furnishing a security bond for a sum of Rs.15,000/- (Rupees fifteen thousand). The petitioner was also directed to appear for an enquiry in connection with the show cause notice, on 20.07.2017 at 11 am. As the petitioner failed to appear before the enquiry, a subsequent notice was also issued.



Challenging the show cause notice and summons issued by the first respondent, the petitioner has approached this Court.

3. Section 107 of Cr.P.C. empowers the Executive Magistrate to issue show cause notice, if the Executive Magistrate receives some information as contemplated under Section 111 of Cr.P.C. and the impugned show cause notice satisfies Section 111 of Cr.P.C. Absolutely there is no ground in this case to quash the show cause notice issued under Section 107 of Cr.P.C. Hence this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (Crl side)

/True copy/

Sub Assistant Registrar

To

1. The Administrative Magistrate cum
Deputy Commissioner, of Police, Tirunelveli City,
Tirunelveli District.
2. The Sub-Inspector of Police,
Junction Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Cmr
MK/GT/SAR-4/01.11.2017/2P/4C

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