

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.23216 of 2018
and CRL.M.P.No.12965 of 2018

1.Agoram
2.Chezhiyan
3.Babu
4.Subravel @ Karthik
5.karthik
6.Venkatesan
7.Vinoth ...Petitioners

Vs

1.The State rep. by
Inspector of Police,
Thiruvankadu Police Station,
Thiruvankadu,
Nagapattinam District.
2.The Sub Divisional Executive Magistrate Cum
Revenue Divisional Officer,
Myladuthurai, Nagapattinam District.
3.Panju Kumar
4.Durai Raj
5.Ramesh
6.Gopi
7.Venkatesan
8.Sakthivel
9.Aarumugam .. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.,
to call for the records and quash the proceedings in M.C.14 of
2018/B1 pending on the file of the 2nd respondent.

For Petitioners : Mr.M.Govindaraju
For 1st Respondent : Ms.M.Prabhavathi, APP

O R D E R

Challenging the Show Cause Notice issued by the Executive
Magistrate under Section 107 of Cr.P.C, this petition has been
filed.

2.Heard Mr.M.Govindaraju, learned counsel appearing for the petitioners, who submitted that in one single proceedings, both A-party and B-party cannot be made as parties. It is seen that the Executive Magistrate has issued only a Show Cause Notice and it is always open to the petitioners to appear before the Executive Magistrate with an Advocate of their choice and present their case, in the light of the law laid down by a Division Bench of this Court in Krishnamurthy & 3 others Vs. The Sub Divisional Magistrate-cum-RDO, Krishnagiri and another [2017 1 MLJ (Crl.) 257].

3.Hence, this petition is closed with the above liberty. Consequently, connected Miscellaneous Petition is closed.

-s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

gya

To

1.The Inspector of Police,
Thiruvankadu Police Station,
Thiruvankadu,
Nagapattinam District.

2.The Public Prosecutor,
High Court, Madras.

3.The Sub Divisional Executive Magistrate Cum
Revenue Divisional Officer,
Myladuthurai, Nagapattinam District.

+1 CC to Mr.M.Govindaraju, Advocate sr 67383.

CRL.O.P.No.23216 of 2018

WEB COPY

SP(05/10/2018)