

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2018

CORAM

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.No.22797 of 2018
and
Crl.M.P.No.12712 of 2018

R.Ramesh Babu

... Petitioner

Vs.

1. The Executive Magistrate-Cum-
Revenue Divisional Officer,
Perambalur,
Perambalur District.

2. Mr.Pandiyan

3. Athiyan

4. Vadivel

5. Venkatesan

6. Selladurai

7. Azhgar

8. Sasikumar

9. Velu

10.Raja

11.Thangadurai

12.The Inspector of Police,
Arumbavur Police Station,
Perambalur District.

...Respondents

Prayer :

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in proceedings bearing No.Na.Ka.A3/3680/2018 pending on the file of the respondent and quash the same as against this petitioner.

For Petitioner : Mr.S.Mohan

For Respondents : Ms.M.Prabhavathi
Additional Public Prosecutor for R1 & R12

O R D E R

This petition has been filed to quash the proceedings in Na.Ka. A3/3680/2018 on the file of the first respondent.

2.The learned counsel for the petitioner has submitted that the first respondent has issued a notice under Section 107 Cr.P.C., to direct the petitioner and others to appear for enquiry on 16.08.2018 at 05.00 p.m with regard to the festival to be celebrated on 14.08.2018. He further submitted that since already the function has been celebrated, the notice which was issued by the third respondent has become infructuous and there is no necessity for the petitioner to appear for enquiry.

3. The learned Additional Public Prosecutor has submitted that the festival was celebrated on 14.08.2018 itself. However, she has represented that in every year, a particular community is creating problem under the guise of celebrating the temple festival.

4. Considering the fact that already the festival has been celebrated, the notice issued by the first respondent directing the petitioner to appear for enquiry has become infructuous. Therefore, the said notice has to be quashed.

5. In the result, this petition is allowed and the proceedings in Na.Ka.A3/3680/2018 are quashed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Executive Magistrate-Cum-
Revenue Divisional Officer,
Perambalur,
Perambalur District.

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2. The Inspector of Police,
Arumbavur Police Station,
Perambalur District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Mohan, Advocate, S.R.No.66771

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GJ(CO)
CS/26/10/2018



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