



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.14784 of 2018

and

CrI.M.P(MD)Nos.6557 and 6558 of 2018

- 1.Ayyakalai
- 2.Vellaikannu
- 3.Thangavelu
- 4.Sabapathi
- 5.Saminathan
- 6.Villaan
- 7.Periyaiah
- 8.Raman

... Petitioners

-vs-

- 1.The Sub Inspector of Police,
Puzhithipatti Police Station,
Sivagangai District.
- 2.Mrs.A.Dhanalakshmi,
Taluk Magistrate cum Tahsildar,
Singampunari Taluk,
Sivagangai District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the proceedings in in Na.Ka.No.A1/2883/2018, dated 26.06.2018 on the file of the Taluk Magistrate, Singampunari, Sivagangai and quash the same.

For Petitioners	: Mr.AN.Ramanathan
For Respondents	: Mr.M.Chandra Sekaran
	Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed challenging the proceedings dated 26.06.2018, therein the second respondent has initiated proceedings under Section 107 of Cr.P.C and issued show cause notice to the petitioner.



2. The learned counsel for the petitioner would submit that the petitioners have been made to attend the enquiry again and again and they have been summoned at least 7 times till now.

3. The learned Government Advocate (Crl.Side) would submit that in view of the judgment of the Hon'ble Division Bench reported in 2017 1 MLJ Criminal 259, this Criminal Original Petition is not maintainable.

4. The issue is covered by the above said Division Bench and therefore, this Criminal Original Petition cannot be maintained to quash the proceedings initiated by the second respondent. However, there shall be a direction to the second respondent to complete the proceedings within two hearings, which shall not go beyond 15 days. It is reported that the enquiry is posted on 29.08.2018 and on that day, the petitioner shall be present before the second respondent and the second respondent shall strictly comply with the above direction.

5. This Criminal Original Petition is disposed of with the above directions. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1.The Taluk Magistrate Cum Magistrate,
Singampunari, Sivagangai.

2.The Sub Inspector of Police,
Puzhithipatti Police Station, Sivagangai District.

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

+1CC to Mr.K.Balasubramani, Advocate in SR.No.79902.

DAS
DS/SKN-RSK/SAR-1 :24.08.2018: 2P/5C

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