



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **N.SESHASAYEE**

Cr1.O.P. (MD) No.5815 Of 2019

and

Cr1.M.P.Nos.3725 & 3726 of 2019

Murugan @ Vavu Pandian

... Petitioner/Accused

Vs

1.The Executive Magistrate Cum
Sub-Collector,
O/o. Executive Magistrate Cum
Sub-Collector,
Cheranmahadevi,\
Tirunelveli District.

... Respondent No.1

2. The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.
(Crime No.43 of 2019)

... Respondents No.2/
Defacto Complainant

PRAYER: This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the impugned order in M.C.No.291 of 110 Cr.P.C./2019 on the file of the Executive Magistrate Cum Sub Collector Court, Tirunelveli District and quash the same as illegal.

For Petitioner : M/s.D.S.Haroon Rasheed

For Respondents : Mr.Ohm Chairma Prabhu
Government Advocate (Cr1.Side)

ORDER

The Criminal Original Petition has been filed to quash the impugned order in M.C.No.291 of 110 Cr.P.C./2019 on the file of the Executive Magistrate Cum Sub Collector Court, Tirunelveli District.

2.The learned counsel for the petitioner submitted that the executive Magistrate has served the show cause notice on the petitioner under Section 110 Cr.P.C without disclosing the substance of the grounds for initiating action.

<https://hcservices.ecourts.gov.in/hcservices/>

3. On perusal of the impugned notice, this Court is satisfied that the substance required to be disclosed in the notice issued



under Section 110 Cr.P.C. Necessarily, the show cause notice has to be quashed. According to it is quashed and this Criminal Original Petition is allowed.

4. However, if the Executive Magistrate finds any reason to issue any fresh notice under Section 110 Cr.P.C., disclosing the substance, the present order will not be a bar to the same. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar(CS)

dss

To

1. The Executive Magistrate Cum Sub Collector Court,
Tirunelveli District.
2. The Executive Magistrate Cum Sub-Collector,
O/o. Executive Magistrate Cum Sub-Collector,
Cheranmahadevi,\
Tirunelveli District.
3. The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.D.S.HAROON RASHEED, Advocate Sr. No. 63526

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NS (CO)

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