



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2019

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P.(MD) .No.11104 of 2019
and
CrI.M.P.(MD)No.6999 of 2019

Muthumanickam

: Petitioner

Vs.

1.The Sub Divisional Magistrate Cum,
Revenue Divisional Officer,
O/o Revenue Divisional Office,
Aranthangi,
Pudukottai District.

2.The Inspector of Police,
Avudaiyarkovil Police Station,
Pudukottai District.
In Crime No.77 of 2019

: Respondents

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to call for the records pertaining to the impugned order in M.C.No.107/2019/A2 on the file of the Sub Divisional Magistrate Cum Revenue Divisional Officer, Aranthangi, Pudukottai District and quash the same as illegal.

For Petitioner : Mr.S.Sathya Chidambaram

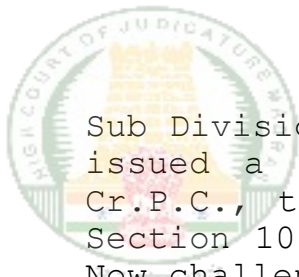
For R1 and R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (CrI.Side)

ORDER

This petition has been filed challenging the show cause notice issued under Section 111 Cr.P.C..

2. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) appearing for the official respondents.

3. Based on the information given by the Inspector of Police, Avudaiyarkovil, that there is a likelihood of breach of public tranquility due to the activities of the petitioner, the learned



Sub Divisional Magistrate and Revenue Divisional Officer, Aranthangi issued a show cause notice to the petitioner under Section 111 Cr.P.C., to appear before him and show cause why proceedings under Section 107 Cr.P.C., shall not be initiated against the petitioner. Now challenging the same, the present petition has been filed.

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4. Admittedly, it is only a show cause notice issued by the learned Executive Magistrate. If at all the petitioner has any grievance over the same, it is for the petitioner to appear before the Executive Magistrate and submit his explanation. Before any proceedings is being initiated by the learned Executive Magistrate, the petitioner cannot challenge the show cause notice issued by the Executive Magistrate. In the above circumstances, the present petition is not maintainable. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Sub Divisional Magistrate and Revenue Divisional Officer,
Aranthangi
2. Sub Divisional Magistrate Cum,
Revenue Divisional Officer,
O/o Revenue Divisional Office,
Aranthangi, Pudukottai District.
- 3.The Inspector of Police,
Avudaiyarkovil Police Station,
Pudukottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-80205[F] dated 07/08/2019)

CRL.O.P. (MD) .No.11104 of 2019
07.08.2019

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JMN(30.08.2019) 2P : 6C

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