



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 23.07.2019

CORAM

THE HONOURABLE MRS. JUSTICE **T.KRISHNAVALLI**

Crl.RC. (MD)No. 91 of 2016

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Ramesh

: Revision Petitioner/
Respondent

Vs.

1.The Deputy Commissioner of Police,
Law and Order cum Executive Magistrate,
Trichy City. : 1st respondent

2.The Inspector of Police,
Woraiyur Police Station
Trichy City. : 2nd Respondent/Petitioner

Prayer: Criminal Revision filed under Section 397 r/w 401 of the Code of Criminal Procedure against the order passed in MC No.700/Ne.Sa.Na/The.Ma.15, dated 28.07.2015 on the file of the Deputy Commissioner of Police, Law and Order-cum-Executive Magistrate, Trichy city.

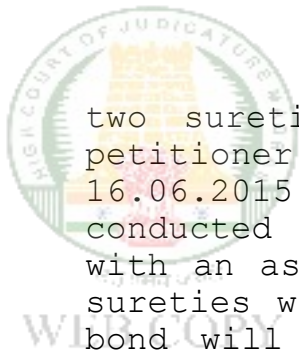
For Revision Petitioner : Mr.V.Illachezian

For Respondents : R.Anandraj
Additional Public Prosecutor

O R D E R

This criminal revision is directed against the order passed in MC No.700/Ne.Sa.Na/The.Ma.15, dated 28.07.2015 on the file of the Deputy Commissioner of Police, Law and Order-cum-Executive Magistrate, Trichy city.

2.The brief facts of the case is that on 27.05.2015 at 20.30 hours, when the Sub Inspector of Police attached to the 2nd respondent police on information went to Puthur Mandhai, the petitioner was causing disturbances to public peace and hence, based on the complaint given by the said Sub Inspector of Police, a case in Crime No.369 of 2015 stands registered for the offence under section 110 of Cr.P.C. Thereafter, on 08.06.2015, the 1st respondent by the proceedings in Na.Ka.No.520/Ne.Sa.Na@ Kaa.Thu.Aa/The.Ma/2015, issued a show cause notice to the petitioner under section 111 of Cr.P.C for execution of the bond for a sum of Rs.20,000/- along with



two sureties and fixed the date of hearing on 16.06.2015. The petitioner appeared for enquiry before the 1st respondent on 16.06.2015 and thereafter, on 23.06.2015, the 1st respondent conducted enquiry and passed the order under section 117 of Cr.P.C with an assurance for a good behaviour with 1 years along with two sureties with a proviso that in case of violation of the bond, the bond will be cancelled and informed that the petitioner will be detained for the remaining period. On 23.06.2015, the petitioner executed a bond in Form No.13 under section 109 and 110 of Cr.P.C. In the meantime, on 18.07.2015 one Rajappan, son of Narayanan gave a complaint against the petitioner alleging that the petitioner had a wordy quarrel with him and gave a life threat. Hence, the 2nd respondent registered a case in Crime No.505 of 2015 for the offence under sections 294(b) and 506(ii) IPC. The petitioner was produced before Judicial Magistrate No.VI, Trichy and remanded to judicial custody by the 2nd respondent and gave a report before the 1st respondent to cancel the bond. Thereafter, on 28.07.2015, the 1st respondent passed the impugned order and cancelled the bond executed by the petitioner on 23.06.2015 and ordered to remand the petitioner till 20.06.2015, i.e., the date of the expire of the bond. Challenging the order passed by the 1st respondent, dated 28.07.2015, the petitioner is before this court.

3.Heard both sides and perused the materials available on records.

4.It is seen from the records that the petitioner executed a security bond under section 110 of Cr.P.C, dated 23.06.2015 with Rs.20,000/- by proceedings two sureties upto the period of 23.06.2016 before the 1st respondent. The 1st respondent passed the impugned order, dated 28.07.2015 by imprisoned the petitioner for the rest of the period of the said bond by assigning the reasons that criminal case in Crime No.505 of 2015 stands registered against him for the offence under section 294(b) and 506(ii) IPC.

5.A perusal of the impugned order would go to show that the first respondent has passed order under section 111 of Cr.P.C by remanding the petitioner till 22.06.2016 i.e., the date of the expiry of the bond. Now the remand period of the petitioner got expired. Hence, the revision petition has become infructuous.

6.In fine, this criminal revision is dismissed as infructuous.

Sd/-

Assistant Registrar (Crl side)

// True Copy //

Sub Assistant Registrar(CS)



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To

1.The Judicial Magistrate No.IV.

Trichy

WEB COPY

2.-do thro-The Chief Judicial Magistrate,
Trichy

3.The Deputy Commissioner of Police,
Law and Order cum Executive Magistrate,
Trichy City.

4.The Inspector of Police,
Woraiyur Police Station, Trichy District.

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

6.The Superintendent,
Central Prison, Trichy

Copy to: The Section Officer,
Criminal Section(Records),
Madurai Bench of Madras High Court,
Madurai.(2 COPIES)

Cr1.RC(MD)No.91 of 2016
23.07.2019

KK/SAR/16.12.2019/3P-9C/