

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2020

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.32481 of 2014
and
Crl.M.P.No.1 of 2014

1.Veeravendhan
2.Veera Prakash
3.Ravi

... Petitioners

Versus

1.The State, represented by,
The Sub-Inspector of Police,
Chidambaram Taluk Police Station,
Chidambaram,
Cuddalore District.
(Crime No.184 of 2014)

2.The Revenue Divisional officer,
Chidambaram,
Cuddalore District,
Cuddalore.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in M.C.No.158 of 2014 dated 27.10.2014 on the file of Sub-Divisional Executive Magistrate-cum-R.D.O Chidambaram and quash the same as illegal.

For Petitioner : Mr.R.Sankarasubbu

For R1 : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

This petition has been filed by the petitioners to quash the show cause notice issued by the 2nd respondent viz., the Revenue Divisional Officer, Chidambaram, in M.C.No.158 of 2014.

2.The learned counsel for the petitioner submitted that the petitioners had never indulged in criminal activities and there is no case is pending against them. The solitary instance and petty quarrel between the petitioners in a village, could never be a ground to invoke the process under Section 107 and 111 of Cr.P.C.

3.The learned Additional Public Prosecutor appearing for the respondent submitted that in the show cause notice the petitioners were directed to appear before the 2nd respondent and to execute a bond under Sections 107 and 111 of Cr.P.C., which would be valid for one year and that period of one year itself is already over. He further submitted that the 1st respondent received a communication from the 2nd respondent dated 03.03.2020 that it has been five years since the proceedings were initiated and during this period, there was no complaint against the petitioners and there is no breach of peace and no necessity to obtain such bond.

4.It is seen that as per Section 116(6) of Cr.P.C., the enquiry to be conducted within a period of six months from the date of its commencement and on the expiry of such period, the proceedings stands terminated unless, for special reason to be recorded in writing. In this case there is no such reason exist to keep the notice pending.

5.The order in M.C.No.158 of 2014 dated 27.10.2014, which is under challenge has been terminated and the same has been informed by the 2nd respondent by communication dated 03.03.2020.

6.In view of the above, nothing survives for adjudicating the Criminal Original Petition and the same is dismissed. Consequently, the connected miscellaneous petition is closed.

सत्यमेव जयते
Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

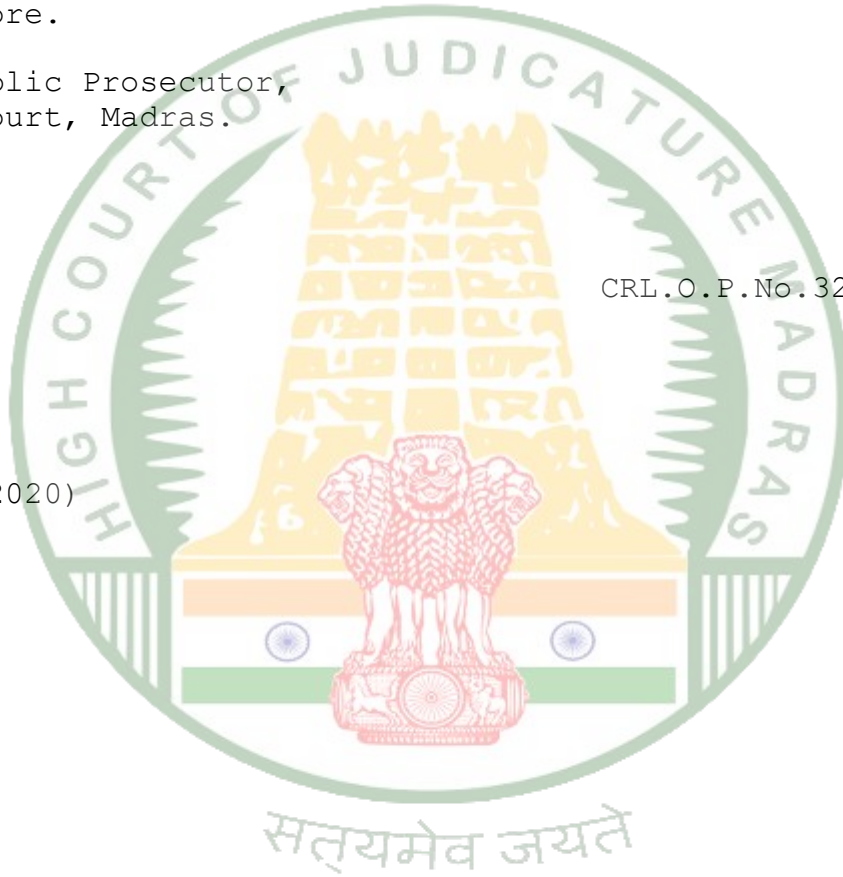
vv2

To

1. The Sub-Inspector of Police,
Chidambaram Taluk Police Station,
Chidambaram,
Cuddalore District.
2. The Revenue Divisional officer,
Chidambaram,
Cuddalore District,
Cuddalore.
3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.32481 of 2014

GS (29/05/2020)



WEB COPY