



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

Crl.O.P(MD).Nos.4583 and 4607 of 2020

and

Crl.M.P.(MD)Nos.2578, 2579, 2619 and 2620 of 2020

Naganathan ... Petitioner in Crl.O.P(MD).Nos.4583 of 2020
Nagarajan ... Petitioner in Crl.O.P(MD).Nos.4607 of 2020
Vs

1.The Second Class Executive Magistrate/Tahsildar,
Paramakudi Taluk Office,
Paramakudi,
Ramanathapuram District.

2.The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District. ... Respondents in both petitions

Common Prayer: Criminal Original Petitions filed under Section 482 of Cr.P.C. to call for the entire records in relating to the impugned proceedings of the first respondent in M.C.Nos.01 of 2020 and 04 of 2020, dated 25.01.2020, respectively, and to quash the same.

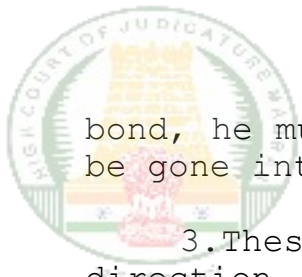
For Petitioner
(in both petitions) : Mr.M.S.Jeyakarthik

For Respondents
(in both petitions) : Mr.A.Robinson
Government Advocate (Crl. side)

COMMON ORDER

These Criminal Original Petitions have been filed to quash the proceedings in M.C.Nos.01 of 2020 and 04 of 2020, dated 25.01.2020, respectively, on the file of the first respondent police.

2.The petitioner challenged the show cause notice under Section 111 of Cr.P.C. The petitioner's grievance appears to be that even without considering their explanation, the Executive Magistrate is insisting to execute a bond under Section 107 of Cr.P.C. If the Executive Magistrate is adopting such an approach, I must clarify that it is not correct. The Code of Criminal Procedure prescribes certain procedural processes and the same will have to be strictly adhered to. Before calling upon the person concerned to execute a



bond, he must be put on notice. If he shows cause, the same has to be gone into and considered.

3. These Criminal Original Petitions are disposed of with a direction to the first respondent to strictly adhere to the procedure set out in Cr.P.C. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Crl side)

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Sub Assistant Registrar(CS)

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To

1. The Second Class Executive Magistrate/Tahsildar,
Paramakudi Taluk Office,
Paramakudi,
Ramanathapuram District.

2. The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-11966 & 11967[F] dated 17/03/2020)

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Crl.O.P(MD).Nos.4583 and 4607 of 2020
16.03.2020

KMV(CO)
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