



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.12752 of 2020

and

Crl.M.P. (MD)Nos.5823 and 5824 of 2020

WEB COPY

Balasingam

... Petitioner/Party

Vs.

1.The First Class Executive Magistrate cum
Revenue Divisional Officer/Sub Collector,
Ramanathapuram, Ramanathapuram District.

2.The Inspector of Police,
Remeshwaram Town Police Station,
Remeshwaram,
Ramanathapuram District.

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records relating to the impugned summon in A4/4678/2020, dated 31.08.2020 issued by the first respondent and quash the same as illegal.

For Petitioner : Mr.T.Veerakumar

For Respondents : Ms.S.E.Veronica Vincent,
Government Advocate (Criminal Side)

ORDER

Heard the learned counsel on either side.

2.The petitioner challenges the impugned notice issued under Section 111 of Cr.P.C.

3.Section 111 of Cr.P.C., reads as under:-

"When a Magistrate acting under section 107, section 108, section 109 or section 110, deems it necessary to require any person to show cause under such section he shall make an order in writing, setting forth the substance of the information received, the amount of the bond to be executed, the term for which it is to be in force, and the number, character and class of sureties (if any) required."

4.A mere reading of the impugned notice would indicate that the particulars required to be set out have not at all been set out. Therefore, on this sole ground, the impugned notice is



quashed. The Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

WEB COPY

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

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NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:-

- 1.The First Class Executive Magistrate cum
Revenue Divisional Officer/Sub Collector,
Ramanathapuram, Ramanathapuram District.
- 2.The Inspector of Police,
Remeshwaram Town Police Station,
Remeshwaram,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD) No.12752 of 2020

and

Crl.M.P. (MD) Nos.5823 and 5824 of 2020

10.11.2020

SSS (CO)

KM (30.11.2020) 2P 4C