



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.11406 of 2020

and

Crl.M.P. (MD)No.5209 of 2020

WEB COPY

Kamalanathan

... Petitioner/Accused

Vs

1.The Sub Divisional Magistrate,
Paramakudi,
Ramanathapuram District.

...Respondent/Respondent

2.The Inspector of Police,
Nainarkovil Police Station,
Ramanathapuram District.

... Respondent/Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records as against the petitioner pertaining to the proceedings of the learned Sub Divisional Magistrate, Paramakudi in M.C.No.188 of 2020 dated 18.09.2020 under Section 107 of Cr.P.C. and 111 of Cr.P.C. and quash the same as illegal.

For Petitioner : Mr.N.Anandakumar
For Respondents : Ms.S.E.Veronica Vincent,
Government Advocate (Crl. Side)

O R D E R

Heard the learned counsel on either side.

2.What is under challenge is the 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.The notice challenged in this criminal original petition does not contain any of the requirements as required by the aforesaid provision. It is therefore quashed. The criminal original



petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CSII)

// True Copy //

WEB 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 Sub Divisional Magistrate,
Paramakudi,
Ramanathapuram District.
- 2.The Inspector of Police,
Nainarkovil Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.11406 of 2020
15.10.2020

BK(CO)
KB(03.11.2020) 2P 4C