



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.11621 of 2020

and

Crl.M.P. (MD)Nos.5299 and 5300 of 2020

Rajesh @ Rajeshkumar

... Petitioner/Party

Vs.

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

... 1st Respondent

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

... 2nd Respondent/Complainant

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 1st respondent and quash the same as illegal.

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

ORDER

Heard the learned counsel on either side.

2.The petitioner challenges the impugned summon issued under Section 113 of Cr.P.C.

3.As rightly pointed out by the learned counsel appearing for the petitioner, no where the first respondent has recorded his subjective satisfaction. The object of the Executive Magistrate is to obtain a security bond from the petitioner herein. In such an event, the particulars required under Section 111 of Cr.P.C., must be set out. They are also not set out in the impugned summon. Therefore, I have no other option but to quash the same. The impugned summon is quashed. The criminal original petition is



WEB COPY

CrI.O.P.(MD)No.11621 of 2020

allowed.
closed.

Consequently, connected miscellaneous petitions are

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

ias

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,
Rameshwaram Town Police Station,
Rameshwaram,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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VB (02.11.2020) 2P 4C