



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2020

CORAM:

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.11632 of 2020

and

Crl.M.P. (MD) No.5314 of 2020

1.N.Revathi
2.Lakshmanan

... Petitioners

Vs.

1.The Sub Divisional Magistrate,
The Revenue Divisional Officer,
Karur District.

2.The Inspector of Police,
Thanthonimalai Police Station,
Karur District.

3.S.Murugaiyan

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the entire records pertaining to the impugned summon issued by the first respondent in Na.Ka.No.Aa1/3613/2020/MC 3613/2020/A1 dated 23.09.2020 under Section 113 of Cr.P.C., and quash the same.

For Petitioners : Mr.M.Bindran

For Respondents : Ms.S.E.Veronica Vincent,
Govt. Advocate (Crl. Side) for R1 & R2

ORDER

The petitioner questions the impugned summon issued under Section 113 of Cr.P.C. The petitioner's counsel points out that in this case, no order under Section 111 of Cr.P.C., had been made. Without passing an order under Section 111 of Cr.P.C., calling upon the party to show cause and the question of issuing summon under Section 113 of Cr.P.C., does not arise.

2.In this view of the matter, the proceedings impugned in this criminal original petition is quashed and the criminal



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CrI.O.P.(MD)No.11632 of 2020

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

Sd/-

Assistant Registrar (CO)

// True Copy //

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Sub Assistant Registrar (CS)

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,
The Revenue Divisional Officer,
Karur District.
- 2.The Inspector of Police,
Thanthonimalai Police Station,
Karur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P (MD) No.11632 of 2020
16.10.2020

PU (CO)

AP (02/11/2020) 2P 4C