



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2020

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

Crl.O.P(MD)No.12203 of 2020 and

Crl.M.P.(MD) No.5524 of 2020

Muthuramalingam

..Petitioner/Opposite Party

Vs

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

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

..Respondents

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the impugned show cause notice in MC No.332/2020, dated 07.10.2020, issued by the respondent No.1 and quash the same as illegal.

For Petitioner : Mr.R.Alagumani

For R1,R2 : Ms.S.E.Veronica Vincent
Government Advocate

O R D E R

Heard the learned counsel on either side.

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

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."

3.A mere reading of the impugned notice would indicate that the bond 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 petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

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 Sub Division,
Ramanathapuram District.
- 2.The Inspector of Police,
Ilanchembur Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-20969[F] dated 03/11/2020)

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