



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2020

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P.(MD)No.12299 of 2020

and

Crl.M.P(MD)No.5540 of 2020

Kannan

... Petitioner

Vs.

1.The Sub-Divisional Magistrate/Revenue Divisional Officer
Paramakudi
Ramanathapuram District

2.The Inspector of Police
Emaneswaram Police Station
Ramanathapuram District

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the entire records in relating to the impugned proceedings of the first respondent in M.C.No.287 of 2020, dated 07.10.2020 and its consequential proceedings and to quash the same as illegal.

For Petitioner : Mr.M.S.Jeyakarthik

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 conditions 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 (RECORDS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

msa

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/Revenue Divisional Officer
Paramakudi
Ramanathapuram District
- 2.The Inspector of Police
Emaneswaram Police Station
Ramanathapuram District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.M.S. JEYAKARTHIK, Advocate (SR-21221[F] dated 05/11/2020)

CrI.O.P. (MD)No.12299 of 2020
and

CrI.M.P (MD) No.5540 of 2020
04.11.2020

VR (CO)

KM (11.11.2020) 2P 5C