



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.11.2020**

CORAM:

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

Crl.O.P. (MD)Nos.13185, 13186 & 13187 of 2020

S.Ajithkumar ... Petitioner in Crl.O.P.(MD)No.13185 of 2020

M.Aravinth @ Aravinthkumar

... Petitioner in Crl.O.P.(MD)No.13186 of 2020

S.Pirabakar @ Pirabakaran

... Petitioner in Crl.O.P.(MD)No.13187 of 2020

Vs.

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

2.The Inspector of Police,
Keelathooval Police Station,
Mudukulathur Taluk,
Ramanathapuram District. ...Respondents in all petitions

PRAYER in Crl.O.P.(MD)No.13185 of 2020 : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned summon issued by the first respondent herein in the proceedings in M.C.No.305/2020 under Section 107 r/w Section 111 of Cr.P.C., dated 07.10.2020 and quash the same.

PRAYER in Crl.O.P.(MD)No.13186 of 2020 : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned summon issued by the first respondent herein in the proceedings in M.C.No.306/2020 under Section 107 r/w Section 111 of Cr.P.C., dated 07.10.2020 and quash the same.

PRAYER in Crl.O.P.(MD)No.13187 of 2020 : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned summon issued by the first respondent herein in the proceedings in M.C.No.326/2020 under Section 107 r/w Section 111 of Cr.P.C., dated 07.10.2020 and quash the same.

For Petitioners	: Mr.C.Gangai Amaran
For Respondents	: Ms.S.E.Veronica Vincent
	Government Advocate
	(in all cases)



COMMON ORDER

The petitioners challenge the impugned notice issued under Section 111 of Cr.P.C., stating that the notice does not indicate the particulars required to be set out in the notice.

WEB COPY

2.The learned Government Advocate would fairly submit that the particulars required to be set out in the notice have not been set out.

3.Heard the learned counsel for the petitioners as well as the learned Government Advocate .

4.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."

5.Hence, considering the submissions made by the learned counsel for the petitioners as well as the learned Government Advocate, the impugned notices are quashed. These Criminal Original Petitions are allowed.

Sd/-

Assistant Registrar (CS-II)

// True 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 /
Revenue Divisional Officer,
Paramakudi Revenue Division,
Ramanathapuram District.

2.The Inspector of Police,
Keelathooval Police Station,
Mudukulathur Taluk,
Ramanathapuram District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

Crl.O.P. (MD) Nos.13185, 13186 & 13187 of 2020
20.11.2020

VB (08.12.2020) 3P 4C