



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.01.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.8618 of 2016

and

CRL.M.P. (MD)No.4175 of 2016

Subramaniyan

... Petitioner

Vs.

1. The Sub Divisional Magistrate & Sub-Collector,
Pudukkottai District.

2. The Inspector of Police,
Karambakudi Police Station,
Pudukkottai District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the proceedings of the summon under Section 113 of Cr.P.C. issued by the first respondent dated 27.05.2016 and quash the same in so far as the petitioner is concerned as illegal.

For Petitioner : Mr.K.Baalasundharam

For Respondents : Mr.A.Robinson,
Government Advocate(Crl. Side).

O R D E R

What is under challenge is the show cause notice issued under Section 113 of Cr.P.C. by the first respondent. Even as per the impugned summons, the petitioner was to execute security so that he would keep peace for a term of one year. Cause of action pertains to May 2016. We are now in the year 2020. Therefore, the period set out in the proceedings has since elapsed.



2.Hence, the impugned proceedings stands quashed. The criminal original petition stands allowed, accordingly. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

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Sub Assistant Registrar(CS)

To:

1. The Sub Divisional Magistrate & Sub-Collector,
Pudukkottai District.
2. The Inspector of Police,
Karambakudi Police Station,
Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.BAALASUNDHARAM, Advocate (SR-550[F]

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