



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2021

CORAM:

THE HON'BLE MRS. JUSTICE R. THARANI

Crl.O.P.(MD)No.3630 of 2021

and

Crl.M.P.(MD)No.2001 of 2021

Gnanasekaran

... Petitioner

Vs.

1.The Sub Divisional Magistrate cum Revenue Divisional Officer,
Thirumangalam,
Madurai District.

2.The Inspector of Police
Kallikudi Police Station,
Madurai District.

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to the impugned order passed by the first respondent in M.C.No.674/2021/A1 dated 25.02.2021 based on the information by the second respondent in Na.Ka.No.15/21/E2 PS/24.02.2021 and to quash the same.

For Petitioner : Mr.Marthanda Varmana

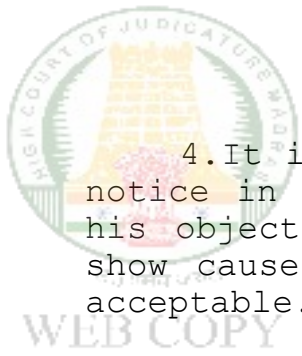
For R-1 & R-2 : Mr.A.Robinson
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the order in M.C.No.674/2021/A1 dated 25.02.2021, on the file of the first respondent.

2.On the side of the petitioner, it is stated that there was a previous case against the petitioner in Crime No.84 of 2015 under Sections 147, 148, 120(b), 364 and 302 of IPC. For that reason alone, the second respondent has filed a report before the first respondent. Thereby, the first respondent issued a show cause notice to the petitioner without conducting any enquiry in a mechanical manner and prayed the show cause notice to be quashed.

3.On the side of the respondents, it is stated that only a show cause notice was issued to the petitioner. The petitioner can give his explanations on that petition and there is no necessity to quash the proceedings.



4.It is seen that the first respondent issued only a show cause notice in M.C.No.674/2021/A1. The petitioner is at liberty to file his objections. There cannot be an enquiry before the issuance of show cause notice. Hence, the contention of the petitioner is not acceptable.

5.There is no merits in the petition. This Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(T & P)

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/ /2021

Sub Assistant Registrar(CS)

Mrn

To:

- 1.The Sub Divisional Magistrate cum Revenue Divisional Officer,
Thirumangalam,
Madurai District.
- 2.The Inspector of Police
Kallikudi Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.3630 of 2021

09.03.2021

VR (CO)

TR(23.03.2021) 2P 4C