



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2021

CORAM :

THE HONOURABLE MRS. JUSTICE R. HEMALATHA

Crl.OP.(MD)No.4655 of 2021 &

Crl.MP(MD)No.2626 of 2021

Siva

... Petitioner

vs.

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

2.The Sub Inspector of Police,
Melur Police Station,
Melur, Madurai District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in the impugned order passed by the first respondent in MC.No.2545 of 2020, dated 09.03.2021 and quash the same.

For Petitioner : Mr.P.Ganapathi Subramanian

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

ORDER

The main grievance of the petitioner is that merely based on the contention of the Inspector of Police, Melur Police Station that the petitioner is a trouble-monger, the Executive Magistrate has issued notice under Section 110 of the Code of Criminal Procedure.

2. Mr.A.Robinson, learned Government Advocate (Criminal Side), on instructions, would contend that the Executive Magistrate had followed all the legal formalities before issuing notice under Section 110 of the Code of Criminal Procedure and there is nothing wrong in the orders passed by the Executive Magistrate. Merely because the Inspector of Police, Melur Police Station has mentioned that the petitioner is a "trouble-monger" and no First Information Report is pending against the petitioner, the entire proceedings cannot be quashed.



3.In the circumstances, this criminal original petition is dismissed as devoid of merits. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CRL SIDE)

WEB COPY

// True Copy //

/ /2021

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

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26.03.2021

PK(CO)
TR(16.04.2021) 2P 4C