



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 13.07.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

Crl.R.C(MD)No.387 of 2021

John Peter

: Revision Petitioner/Respondent

Vs.

1.The Sub-Divisional Executive Magistrate
and Sub Collector,
Sivakasi,
Virudhunagar District.

2.The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.

: Respondents/Complainants

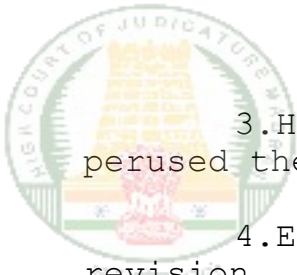
Prayer: Criminal Revision has been filed under section 397 and 401 of Criminal Procedure Code, against the order passed by the 1st respondent in MC No.359/2020, dated 08.04.2021.

For Petitioner	: Mr.M.Jothi Basu
For Respondents	: Mr.RMS.Sethuraman
	Standing counsel for
	State Government (Crl. Side)

O R D E R

This criminal revision is directed against the order passed by the 1st respondent in MC No.359/2020, dated 08.04.2021.

2.The short facts of the case is that the petitioner had frequently involved in criminal cases and a report was initiated by the 2nd respondent and the same was forwarded to the 1st respondent for further action and after perusal of the records, the 1st respondent issued summon under section 111 Cr.P.C and directed the petitioner to execute a bond with sureties under section 110 of the Criminal Procedure Code, in MC No.359 of 2020, dated 18.01.2021, for a period of one year for keeping peace and maintaining good behaviour. But unfortunately, after executing the bond, on 23.03.2021 again the petitioner involved in a criminal offence and on the complaint, a case was registered by the 2nd respondent, in Crime No.140 of 2021 for the offence under sections 294(b), 341, 324 and 506(II) IPC and he was arrested by the 2nd respondent police and remanded to the judicial custody. Subsequently, after careful consideration of the documents and statement of the petitioner, the 1st respondent has passed the impugned order. Aggrieved by the impugned order passed by the 1st respondent, the petitioner is before this court.



3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. Even though various grounds were raised in the grounds of revision, it is mainly contended by the learned counsel for the petitioner that the 1st respondent did not provide reasonable opportunity to defend the case before passing the impugned order. It is the further contention of the petitioner that when without giving reasonable opportunity to defend the case of the petitioner, any order passed by the Executive Magistrate can be set aside.

5. On the other hand, the learned Standing Counsel appearing for the respondents/State argued that the 1st respondent has rightly passed the impugned order and the petitioner is a habitual offender and having 7 previous case and prays for dismissal of the criminal revision.

6. It is seen from the records that after perusing the materials available on record and after giving opportunity to the parties concerned, the 1st respondent passed the impugned order. Further, the petitioner is having 7 previous criminal cases. Under these circumstances, this court is not inclined to grant any relief as prayed for.

7. In fine, this Criminal Revision Petition is **dismissed**.

Sd/-

Assistant Registrar (CS-I)

// 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
and Sub Collector,
Sivakasi,
Virudhunagar District.

2. The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.



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

Copy to

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The The Section Officer, (2C)
Criminal Section ,
Madurai Bench of Madras High Court,
Madurai

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-22467[F] dated 14/07/2021
)

Cr1.R.C (MD) No.387 of 2021
13.07.2021

SR(CO)
KB(19.07.2021) 3P 7C