



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**
Cr1.O.P. (MD) No.13399 of 2021

Devendran

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd respondent not to harass the petitioner by compelling him to execute a bond under Section 110 Cr.P.C. under the guise of enquiry.

For Petitioner : Mr.J.Pooventhra Rajan
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor (Cr1.Side)

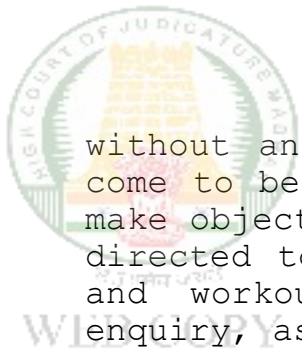
ORDER

This petition is filed seeking direction to the 2nd respondent not to harass the petitioner under the guise of enquiry to execute a bond under Section 110 Cr.P.C.

2.The learned counsel appearing for the petitioner would submit that the petitioner has been falsely arrayed as accused in Crime No.702 of 2020, which was registered for the offences punishable under Sections 341, 294(b), 323 and 506 (i) of IPC. Now, the 2nd respondent insisted the petitioner to execute a bond under Section 110 Cr.P.C., without following proper procedure.

3.The learned Additional Public Prosecutor (Cr1.side) appearing for the respondents would submit that based upon the recommendation made by the 1st respondent, proceeding under Section 110 Cr.P.C. has been initiated and when notice was ordered, the petitioner has refused to receive the same.

4.Since notice has been issued to the petitioner, he has to receive the same and has to workout his remedy through appropriate proceedings. The petitioner cannot refuse to receive the notice



without any proper reason. Only after receiving the same, it will come to be known whether it is proper or not and the petitioner can make objections during enquiry process. So, the petitioner herein is directed to receive the notice issued under Section 110 of Cr.P.C. and workout his remedy appropriately or participating in the enquiry, as the case may be.

5. With the aforesaid direction, this petition is disposed of.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mm

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 Superintendent of Police,
Kanyakumari District.
2. The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P. (MD)No.13399 of 2021
13.09.2021

MGJ(27.09.2021) 2P 4C