



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

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Crl.O.P. (MD) Nos.17724 & 17743 to 17745 of 2021 and

CRL.M.P. (MD) Nos.9663, 9675, 9677 & 9680 of 2021

Thirunavukkarasu	... Petitioner/ Respondent in Crl.O.P. (MD) No.17724 of 2021
Mani @ Manikandan	... Petitioner/ Respondent in Crl.O.P. (MD) No.17743 of 2021
Ilaiyaraja	... Petitioner/ Respondent in Crl.O.P. (MD) No.17744 of 2021
Sakthi	... Petitioner/ Respondent in Crl.O.P. (MD) No.17745 of 2021

Vs.

1. The II Class Executive Magistrate
cum Tahsildar,
Thiruvadanai, Ramnad District.

2. The Inspector of Police,
S.P.Pattinam police station,
Ramnad District.

... Respondents / Complainants
in all petitions

Common Prayer: Criminal Original petitions are filed under Section 482 of Cr.P.C, to call for the records relating to the proceedings in M.C.Nos.121, 123, 125 and 126 of 2021 dated 18.10.2021 on the file of the first respondent and quash the same.

(in all Crl.O.Ps.)

For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

C O M M O N O R D E R

In all these four cases, notices issued under Section 111 of Cr.P.C. are under challenge.

2. The executive Magistrate had proposed to initiate proceedings under Section 111 of Cr.P.C. The impugned notices are challenged before the court and are quashed for the simple reason that they do not meet



the requirements under Section 111 of Cr.P.C. Section 111 of Cr.P.C. is as follows:-

" **111. Order to be made.**— When a Magistrate acting under section 107, section 108, section 109 or section 110, deems it necessary to require any person to show cause under such section, he shall make an order in writing, setting forth the substance of the information received, the amount of the bond to be executed, the term for which it is to be in force, and the number, character and class of sureties (if any) required."

3. A reading of the impugned notices indicates that satisfaction of the executive Magistrate has not been recorded. Substance of information has not been set out. The bond amount has also not been specified. The period of bond has also not been mentioned. The character and class of the petitioners has not been stated. The impugned notices are defective.

4. Therefore, the impugned notices are quashed. These criminal original petitions are allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AR(CO))

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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 II Class Executive Magistrate
cum Tahsildar,
Thiruvadanai, Ramnad District.
2. The Inspector of Police,
S.P.Pattinam police station,
Ramnad District.



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

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AR (CO)

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