



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.19000 of 2021

and

Crl.M.P. (MD)No.10544 of 2021

1.Packiyaraj
2.Kumaraguru
3.Sasikumar
4.Jeyapaul

... Petitioners

Vs.

1.The Executive Magistrate Cum
Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

2.The Inspector of Police,
Paramakudi Town Police Station,
Paramakudi,
Ramanathapura District.

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the impugned proceedings of the M.C.No.624 of 2021 on the file of the Executive Magistrate Cum Revenue Divisional Officer, Paramakudi and quash the same as illegal.

For Petitioners : Mr.B.Arun
For Respondents : Mr.T.Senthil Kumar,
Addl. Public Prosecutor.

O R D E R

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

2.The petitioner challenges the notice issued to them by the Executive Magistrate, Paramakudi under Section 111 of CrPC. As rightly pointed out by the learned counsel for the petitioners, the impugned notice is vulnerable on two counts. Firstly, the substance of the information has not been set out. Secondly, the Executive Magistrate has issued a composite notice by treating the petitioners as 'A' party. It has been held time and again that the Executive Magistrate while initiating security proceedings cannot club the



rival groups under 'A' and 'B' categories. The impugned notice is not in consonance with the statutory scheme set out in Section 111 of CrPC. It stands quashed. The criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

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// 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 Executive Magistrate Cum
Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.
- 2.The Inspector of Police,
Paramakudi Town Police Station,
Paramakudi,
Ramanathapura District.
3. The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.B.ARUN, Advocate (SR-37458[F] dated 06/12/2021)

Crl.O.P(MD)No.19000 of 2021
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NSN(CO)
KB(13.12.2021) 2P 5C