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Crl.O.P.No.17092 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

CORAM:

THE HON'BLE Ms.JUSTICE **R.N.MANJULA**

Crl.O.P.No.17092 of 2021 and
Crl.M.P.Nos.9361 & 9362 of 2021

- 1.Karunakaran @ Govindaraj
- 2.Manickavel
- 3.Chelladurai
- 4.Arumuga Perumal
- 5.Lingaraj
- 6.Eswaran @ Patteeswaran
- 7.Srinivasan @ Srinivasaperumal

... Petitioners

Vs.

- 1.The Sub-Divisional Magistrate-cum-
Sub Collector,
Pollachi,
Coimbatore District.
- 2.The Inspector of Police,
Anaimalai Police Station,
Pollachi,
Coimbatore District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the impugned show cause notice issued by the first respondent herein in M.C.21/2021/A1, dated 24.08.2021 and quash the same.



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For Petitioners : Mr.G.Karthikeyan

For Respondents : Mr.A.Damodaran,
Addl.Public Prosecutor

ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the impugned show cause notice issued by the first respondent herein in M.C.21/2021/A1, dated 24.08.2021 and quash the same.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondents.

3. The learned counsel for the petitioners submitted that there is no necessity to issue such show cause notice against the petitioners and the notice has not been issued on the basis of any supportive materials as there is no criminal case pending against the petitioners and hence the same should be quashed.

4. The learned Additional Public Prosecutor submitted that the petitioners are the 'A' party and the petitioners and their opposite party have been fighting with each other basing of their political allegiance; since both the parties claimed that they would hoist flags of their respective organisation



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in one and the same place and apprehending law and order situation, the first respondent police have issued the impugned proceedings calling for the petitioners to execute the bond under Section 107 Cr.P.C.

5. The impugned proceedings is dated 24.08.2021. The one year period itself has got lapsed by 24.08.2022. Even the show cause notice that has been issued later and dated 27.09.2021 also lapsed by 27.09.2022. Since the matter has become infructuous due to efflux of time, it does not require any further consideration.

6. With the above observations, this Criminal Original Petition is dismissed as infructuous. Consequently, connected miscellaneous petitions are closed.

Index: Yes/No
Speaking / Non Speaking Order
gsk

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R.N.MANJULA, J.

gsk

To

1.The Sub-Divisional Magistrate-cum-
Sub Collector,
Pollachi,
Coimbatore District.

2.The Inspector of Police,
Anaimalai Police Station,
Pollachi,
Coimbatore District.

3.The Public Prosecutor,
High Court, Madras.

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