



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2022

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.4224 of 2022

in

Crl.M.P(MD)No.3005 of 2022

Senthilkumar

...Petitioner

Vs.

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

2.The Inspector of Police,
Thondi Police Station,
Ramnad District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records connected with the case in M.C.No.14/2022, dated 09.02.2022, on the file of the first respondent and quash the same.

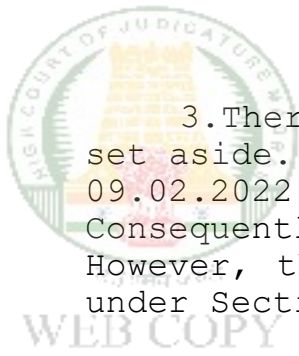
For Petitioner : Mr.D.Venkatesh

For R1 and R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This petition has been filed to quash the M.C.No.14/2022, dated 09.02.2022, on the file of the first respondent.

2.On perusal of the impugned summon issued under Section 111 of Cr.P.C., the first respondent failed to mention about the details of the facts for initiation of proceedings under Section 110 of Cr.P.C. Infact, under Section 111 of Cr.P.C. summon cannot be issued and only an order can alone be set forth the information. But, the first respondent failed to mention about the substance of the information received, the amount of bond to be executed, the term for which it is to be enforced and the number and character and the clause of sureties required intimation under Section 111 of Cr.P.C.



3. Therefore, the impugned summon is vitiated and liable to be set aside. Accordingly, the proceedings in M.C.No.14 of 2022, dated 09.02.2022 is set aside. The criminal original petition is allowed. Consequently, the connected miscellaneous petition is also closed. However, the first respondent is at liberty to issue a fresh order under Section 111 of Cr.P.C. in accordance with Law.

Sd/-

Assistant Registrar (Protocol)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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 Thasildhar, Thiruvadanai,
Ramnad District.
- 2.The Inspector of Police,
Thondi Police Station,
Ramnad District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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