



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2022

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD)No.4079 of 2022

and

Crl.M.P(MD)No.2957 and 2958 of 2022

WEB COPY

Karthick

... Petitioner

Vs.

1. The II Class Executive Magistrate cum
Tahsildar,
Taluk Office,
Paramakudi,
Ramanathapuram District.

2. The Inspector of Police,
Nainar Kovil Police Station,
Nainar Kovil,
Ramanathapuram District.

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct to call for the records pertaining to the impugned proceedings issued by the first respondent in M.C.No.53/2022 dated 24.02.2022 and quash the same.

For Petitioner
For Respondents

: Mr.S.Pandiyaraj
: Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

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

2. The petitioner challenges the notice issued under Section 111 of Cr.P.C. The petitioner has been called upon to show cause as to whether he should not be called upon to execute a bond under Section 107 of Cr.P.C. As rightly pointed out by the learned counsel for the petitioner, the Executive Magistrate has not set out the information received by him. The impugned notice is not in consonance with the statutory requirements set out in Section 111 of Cr.P.C. It stands quashed.

3. However, the first respondent is at liberty to issue a fresh show cause notice providing the substance of the information received for contemplating action under Section 111 of Cr.P.C within a period of one week from the date of receipt of a copy of this order.



4. Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions stand closed.

Sd/-

Assistant Registrar (CS-III)

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// 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
Tahsildar,
Taluk Office,
Paramakudi,
Ramanathapuram District.
2. The Inspector of Police,
Nainar Kovil Police Station,
Nainar Kovil,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.PANDIYARAJ, Advocate (SR-9998[F] dated 04/03/2022)

Crl.O.P.(MD)No.4079 of 2022
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_RD(21.03.2022) 2P 5C