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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.4889 of 2022

and

CrI.M.P. (MD)No.3461 of 2022

Suresh

... Petitioner

Vs

1.The II Executive Magistrate Cum Tashildar,
Paramakudi,
Ramanthapuram District.

2.The Inspector of Police,
Chatrakudi Police Station,
Ramanathapuram District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the entire records of the proceedings initiated by 1st respondent in M.C.No.65 of 2022 dated 07.03.2022 and quash the said proceedings as against the petitioner.

For Petitioner : Mr.R.L.Dhilipan Pandian

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

O R D E R

This petition has been filed challenging the proceedings initiated by the first respondent in M.C.No.65 of 2022 dated 07.03.2022 issued under Section 111 of Cr.P.C.

2.The first respondent issued summons to the petitioner under Section 111 of Cr.P.C., thereby called upon the petitioner to give reply as to why the proceedings under Section 110 of Cr.P.C., should not be initiated. Section 111 of Cr.P.C., states that the notice issued under the said section should contain information with regard to 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. On perusal of the summon, it is revealed that there is no such information with regard to substance of the information received, the amount of the bond to be executed, the term for which it is to be in force. Therefore, on this sole ground, the impugned summon cannot be sustained as against the petitioner and it is liable to be dismissed. Accordingly, the impugned summon is quashed and the criminal original petition is allowed. However, the first



respondent is at liberty to proceed as against the petitioner in accordance with law. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

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Sub Assistant Registrar(CS)

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To

- 1.The II Executive Magistrate Cum Tashildar,
Paramakudi,
Ramanthapuram District.
- 2.The Inspector of Police,
Chatrakudi Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P (MD) No.4889 of 2022

15.03.2022

RK(24/03/2022) 2P 4C