



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.6654 of 2022

&

Crl.M.P(MD)Nos.4595 & 4597 of 2022

Kittan

... Petitioner

Vs.

1. The II Class Executive Magistrate and
Revenue Tahsildar,
Oddanchatram,
Dindigul District.

2. The State represented by
The Sub Inspector of Police,
Oddanchatram Police Station,
Oddanchatram,
Dindigul District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records of the first respondent, learned II Class Executive Magistrate / Revenue Tahsildar, Oddanchatram vide his proceedings in M.C.No. 25/2022/C3, dated 24.03.2022 and quash the same.

For Petitioner : Mr.P.Saravanakumar

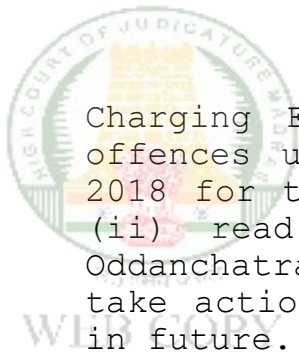
For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor (Criminal Side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings in M.C.No. 25/2022/C3, dated 24.03.2022 on the file of the learned II Class Executive Magistrate / Revenue Tahsildar, Oddanchatram.

2. The petitioner is said to be involved in the cases in Crime No.116 of 2022 for the alleged offences under Sections 294(b), 506 (ii) IPC read with Section 4 of TNPHW Act read with Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act; Crime No.1277 of 2020 for the alleged offences under Sections 174 Cr.P.C., @ 306 IPC read with Section 4 of the Tamil Nadu Prohibition of



Charging Exorbitant Interest Act; Crime No.328 of 2019 for the offences under Sections 294(b), 341, 448 IPC and Crime No.672 of 2018 for the offences under Sections 294(b), 234, 354(B), 427, 506 (ii) read with Section 4 of TNPHW Act on the file of the Oddanchatram Police Station, Dindigul District and is requested to take action as per Section 110 Cr.P.C., to restrain his activities in future.

3. A perusal of notice issued under Section 111 Cr.P.C would show that the petitioner was directed to appear in person in the presence of the first respondent to explain why probation bail document should not be issued in such a way as to no one undermine the public order on the basis of information given by the second respondent herein. Further, it revealed that all the procedures are laid down under Section 111 Cr.P.C, such as, setting forth the 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.

4. The learned Additional Public Prosecutor (Criminal Side) also submitted that the petitioner so far involved in 15 previous cases. Therefore, on receipt of the information from the second respondent, the first respondent rightly issued notice under Section 111 Cr.P.C. Therefore, this Court finds no infirmity or illegality in the order passed by the first respondent.

5. Accordingly, this Criminal Original Petition is dismissed. However, the petitioner is at liberty to submit the explanation before the first respondent at the time of enquiry. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

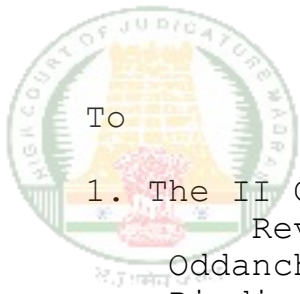
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/ /2022

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 II Class Executive Magistrate and
Revenue Tahsildar,
Oddanchatram,
Dindigul District.

2. The Sub Inspector of Police,
Oddanchatram Police Station,
Oddanchatram,
Dindigul District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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RD(26.05.2022) 3P 4C