



Crl.O.P.(MD) No.16018 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 14.09.2022

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD) No.16018 of 2022

and

Crl.M.P(MD)No.10597 of 2022

Ajithkumar

..Petitioner

Vs.

1.The II Class Executive Magistrate
-cum- Revenue Tahsildar, Kamuthi
Paramakudi,
Ramanathapuram District.

2.The Sub Inspector of Police,
G-2 Emaneswaram Police Station and Town
Ramanathapuram District

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the relating to the impugned proceedings of the first
respondent in M.C.No.220 of 2022 dated 20.07.2022 and to quash the
same.

For Petitioner : Mr.M.S.Jeya Karthik
For Respondents : Mr.R.Sivakumar
Government Advocate(Crl.Side)



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ORDER

This petition is filed to quash the proceedings initiated by the first Respondent in M.C.No.220 of 2022 dated 20.07.2022 as against the Petitioner under Sections 110 and 111 of Cr.P.C.

2.The learned Additional Public Prosecutor submitted that in view of Devar Guru Poojai on 11.09.2022 the proceedings was initiated. He would also submit that there had been previous cases against him registered in Crime No.160 of 2022

3. On consideration of the rival submissions, it is found that as rightly pointed out by the learned Counsel for the Petitioner the summons issued to the Petitioner does not mention the crime number or the case pending against him. The learned Counsel for the Petitioner also relied on the order passed by the learned Single Judge of this Court in Crl.O.P(MD) No.4901 of 2022 dated 16.03.2022.



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4. On consideration of the same and the reliance placed by the learned counsel for the Petitioner that on the same set of facts on an earlier occasion, the learned Single Judge of this Court had allowed the petition.

5. On consideration of the rival submission of both side Counsels the contention of the learned counsel for the Petitioner is found reasonable one and the contentions of the learned Government Advocate(Crl. Side) is rejected in the light of the argument of the learned Counsel for the Petitioner that the sum and substance of the case had not been mentioned in the summons.

6. Accordingly, this Criminal Original Petition is allowed. The impugned order dated 20.07.2022 on the file of the first respondent is hereby quashed. Consequently, connected miscellaneous petition is closed.

14.09.2022

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
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-cum- Revenue Tahsildar, Kamuthi
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Ramanathapuram District.
- 2.The Sub Inspector of Police,
G-2 Emaneswaram Police Station and Town
Ramanathapuram District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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