



W.P.No.25318 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2023

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.25318 of 2022

R.Madhanagopal

...Petitioner

-Vs-

1. The Sub Collector cum Revenue Divisional Officer,
Pollachi.
2. The Superintendent of Police,
Coimbatore Rural District,
Coimbatore.
3. The Deputy Superintendent of Police,
Valparai Sub-Division,
Valparai,
Coimbatore District.
4. The Inspector of Police,
Valparai Police Station,
Valparai,
Coimbatore.

5. Praveena

6. Thanush Krishnan

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to initiate proceedings under section 122(1)(d) of the Criminal Procedure Code, 1973 against the 5th and 6th Respondents for breach of peace bond executed by them in Section 107 proceedings.

For Petitioner : Mr.Sam Jayaraj Houston

For Respondents 1 to 4 : Mr.S.Santhosh,
Govt., Advocate (Crl.Side)

For Respondents 5 & 6 : Mr.I.Abrar Mohammed Abdullah

ORDER

This Writ Petition is filed for issuance of a Writ of Mandamus directing the 1st respondent to initiate proceedings under section 122(1)(d) of the Criminal Procedure Code, 1973 against the 5th and 6th Respondents for breach of peace bond executed by them in Section 107 proceedings.

2. It is seen that if any violation of bond executed under section 107, no proceedings can lie under section 122(1)(b) of Cr.P.C. If the 5th and 6th accused executed any bond under section 107, it is coming under violation of provision under section 122 Cr.P.C.



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3. Therefore, direction sought for in this writ petition cannot be considered. This court finds no merits in this writ petition. Hence, this writ petition is devoid of merits and liable to be dismissed. Accordingly, this Writ Petition is dismissed. No costs.

29.11.2023

Index : Yes/No

Internet: Yes/No

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To

1. The Sub Collector cum Revenue Divisional Officer,
Pollachi.
2. The Superintendent of Police,
Coimbatore Rural District,
Coimbatore.
3. The Deputy Superintendent of Police,
Valparai Sub-Division,
Valparai,
Coimbatore District.
4. The Inspector of Police,
Valparai Police Station,
Valparai,
Coimbatore.
- 5) The Public Prosecutor,
High Court, Madras.

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G.K.ILANTHIRAIYAN,J.
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