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Crl.O.P.No.26496 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

CORAM

THE HONOURABLE MR. JUSTICE Dr. G. JAYACHANDRAN

Crl.O.P.No.26496 of 2023

and

Crl.M.P.No.18430 of 2023

Ramesh

... Petitioner

Vs.

1. The Tahsildhar cum
Taluk Executive Magistrate,
Office of Tahsildar Palladam,
Tiruppur District.

2. Inspector Of Police
Palladam Police Station,
Palladam, Tiruppur District.
(Crime No.79/2014)

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records of the order dated 26.10.2023 under Section 110 of Cr.P.C. in Na.Ka.No.6543/2023/A4 on the file of the 1st respondent herein and set aside the same.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.Leonard Arul Joseph Selvam,
Government Advocate (Criminal Side),



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ORDER

This Criminal Original Petition is filed to call for the records of the order dated 26.10.2023 under Section 110 of Cr.P.C. in Na.Ka.No.6543/2023/A4 on the file of the 1st respondent herein and set aside the same.

2. The learned Counsel appearing for the petitioner submitted that the Notice issued under Section 110 Cr.P.C., dated 26.10.2023 is bereft of details and therefore, is liable to be quashed. He further submitted that the reading of the impugned summon under Section 110 of Cr.P.C. is very cryptic and does not disclose necessary particulars for the petitioner to participate in the inquiry and submit his explanation. Hence he prayed to quash the same.

3.The learned Government Advocate (criminal side) objected and expressed his disagreement with the submissions made by the petitioner. Hence, he prayed for dismissal of this petition.

4. Perused the materials available on record.



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5. In view of the above submissions, while quashing the impugned summon dated 26.10.2023, the learned Executive Magistrate is directed to issue notice to the parties with required particulars and proceed with the inquiry under Section 110 Cr.P.C., if it so desires.

6. Accordingly, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is dismissed.

01.12.2023

Index : Yes/No
Neutral Citation : Yes/No
sha

To

1. The Tahsildhar cum
Taluk Executive Magistrate,
Office of Tahsildar Palladam,
Tiruppur District.

2. Inspector Of Police
Palladam Police Station,
Palladam, Tiruppur District.

3. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr. G. JAYACHANDRAN. J.,

(sha)

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