



Crl.O.P.(MD)No.2341 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.2341 of 2023

and

Crl.M.P.(MD)No.2110 of 2023

A.Antony Viyagappan

... Petitioner

Vs.

1.The Tahsildar cum Executive Magistrate No.II,
Agasteeswaram Taluk,
Kanniyakumari District.

2.The Inspector of Police,
Asaripallam Police Station,
Nagercoil,
Kanniyakumari District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the proceedings of the first respondent in case no.C2/MC62/2023 dated 19.01.2023 and to quash the same in respect of the petitioner alone.

For Petitioner : Mr.N.Pragalathan

For Respondents : Mr.R.Sivakumar,
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the records relating to the proceedings of the first respondent in case no.C2/MC62/2023 dated 19.01.2023 and to quash the same in respect of the petitioner alone.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents.

3.As rightly pointed out by the learned Government Advocate (Criminal Side), the first respondent has issued summon under Section 111 Cr.P.C. directing the petitioner to appear before him on 25.01.2023 to show cause as to why a bond for Rs.50,000/- for keeping peace for a period of six months, should not be taken from him.

4.As rightly contended by the learned Government Advocate (Criminal Side), by giving all the necessary particulars, the impugned summon has been issued, but the petitioner has not shown any valid



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reason or ground to quash the impugned summon. Hence, this Court is not inclined to quash the impugned summon.

5.Since the date specified for the appearance of the petitioner is already over, the first respondent is directed to issue a fresh summon giving fresh date for the appearance of the petitioner and on receipt of the summon, the petitioner is directed to appear before the first respondent and on such appearance, the first respondent is directed to proceed in accordance with law.

6.With the above directions, this Criminal Original Petition stands disposed of. Consequently, connected Miscellaneous Petitions are closed.

08.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns



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K.MURALI SHANKAR,J.

gns

To

- 1.The Tahsildar cum Executive Magistrate No.II,
Agasteeswaram Taluk,
Kanniyakumari District.
- 2.The Inspector of Police,
Asaripallam Police Station,
Nagercoil,
Kanniyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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