



Crl.O.P.(MD)No.3178 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.03.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.3178 of 2023

and

Crl.M.P.(MD)Nos.2913 and 2915 of 2023

Manoj @ Manojkumar

... Petitioner/
Respondent

Vs.

1.The II Class Executive Magistrate
cum The Thasildhar,
Paramakudi,
Ramanathapuram District.

2.The State represented by
The Inspector of Police,
Nainarkoil Police Station,
Ramanathapuram District.

... Respondents/
Complainants

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to M.C.No. 114 of 2022 dated 01.04.2022 on the file of the first respondent and quash the same.

For Petitioner : Mr.G.Vishnuram

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



Crl.O.P.(MD)No.3178 of 2023

WEB COPY

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the records pertaining to M.C.No. 114 of 2022 dated 01.04.2022 on the file of the first respondent and quash the same.

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

3. The learned counsel appearing for the petitioner would submit that the first respondent has issued summons under Section 111 of Code of Criminal Procedure directing the petitioner to appear before them on 08.04.2022 at 12.00 noon for giving his valid reason. He would further submit that in the summons, the amount of bond to be taken was not mentioned.

4. As rightly pointed out by the learned Government Advocate (Criminal Side), since the petitioner is a history sheeter and by giving



Crl.O.P.(MD)No.3178 of 2023

necessary particulars, the impugned summons has been issued and the points now raised by the petitioner can very well be canvassed before the first respondent.

5. Recording the submissions on either sides, the first respondent is directed to issue afresh summons giving necessary particulars and on such issuance of summons, the petitioner is directed to appear before the first respondent and thereafter, 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.

02.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm



WEB COPY



Crl.O.P.(MD)No.3178 of 2023

K.MURALI SHANKAR,J.

csn

To

- 1.The II Class Executive Magistrate
cum The Thasildhar,
Paramakudi,
Ramanathapuram District.
- 2.The State represented by
The Inspector of Police,
Nainarkoil Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.3178 of 2023
and
Crl.M.P.(MD)Nos.2913 and 2915 of 2023

Dated: 01.03.2023