



*Crl.O.P.(MD)No.3049 of 2023*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2023

CORAM

**THE HON'BLE MR.JUSTICE K.MURALI SHANKAR**

Crl.O.P.(MD)No.3049 of 2023

and

Crl.M.P.(MD)Nos.2800 and 2801 of 2023

Kanageshwaran

... Petitioner

Vs.

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

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

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the entire records pertains to M.C.No.116 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.E.Antony Sahaya Prabahar  
Additional Public Prosecutor



*Crl.O.P.(MD)No.3049 of 2023*

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### **ORDER**

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the entire records pertains to M.C.No.116 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 summon under Section 111 of Code of Criminal Procedure directing the petitioner to appear before them on 08.04.2022 at 12.00 noon. He would further submit that in the summon 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 necessary particulars, the impugned summons has been issued and the



*Crl.O.P.(MD)No.3049 of 2023*

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.

**28.02.2023**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
das



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*Crl.O.P.(MD)No.3049 of 2023*

**K.MURALI SHANKAR,J.**

das

To

- 1.The II Class Executive Magistrate  
cum Tahsildar,  
Paramakudi,  
Ramanathapuram District.
- 2.The State rep.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.3049 of 2023  
and  
Crl.M.P.(MD)Nos.2800 and 2801 of 2023

Dated: 28.02.2023