



CrI.O.P.(MD)No.3145 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 28.02.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD)No.3145 of 2023

and

CrI.M.P.(MD)No.2876 of 2023

Ramasamy

... Petitioner

Vs.

1.The II Class Executive Magistrate,
Sivakasi,
Virudhunagar District.

2.The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur,
Virudhunagar District.
(LIR.No/05/2023)

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in connection with M.C.No.89 of 2023, dated 07.02.2023 on the file of the learned II Class Executive Magistrate, Sivakasi, Virudhunagar District.

For Petitioner : Mr.S.Ponsaravanan,

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor



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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 in connection with M.C.No.89 of 2023, dated 07.02.2023 on the file of the learned II Class Executive Magistrate, Sivakasi, Virudhunagar District.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. As rightly pointed out by the learned Additional Public Prosecutor, the first respondent has issued summons under Section 113 Cr.P.C. directing the petitioner to appear before him on 15.02.2023 at about 10.00 a.m., to show cause as to why a bond for Rs.25,000/- with two sureties for keeping peace for a period of one year, should not be taken from him.

4. As rightly contended by the learned Additional Public Prosecutor, by giving all the necessary particulars, the impugned summons has been issued, but the petitioner has not shown any valid



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

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 Petition is closed.

28.02.2023

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



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K.MURALI SHANKAR,J.

das

To

- 1.The II Class Executive Magistrate,
Sivakasi,
Virudhunagar District.
- 2.The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.3145 of 2023
and
Crl.M.P.(MD)No.2876 of 2023

Dated: 28.02.2023