



Crl.O.P.(MD)No.4065 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.03.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.4065 of 2023

and

Crl.M.P.(MD)No.3630 of 2023

Rajmohan

... Petitioner

Vs.

1.The Executive Magistrate
Tahsildhar Office,
Thovazhai,
Kanyakumari District.

2.The Sub-Inspector of Police,
Aralvoimozhi Police Station,
Kanyakumari District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records initiated as against the petitioner by the first respondent under Section 110 and 111 of Cr.P.C. dated 27.02.2023.

For Petitioner : Mr.P.T.Ramesh Raja

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



Crl.O.P.(MD)No.4065 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 initiated as against the petitioner by the first respondent under Section 110 and 111 of Cr.P.C. dated 27.02.2023.

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

3. The learned counsel appearing for the petitioner would submit that the first respondent has issued summons under Section 110 of Code of Criminal Procedure directing the petitioner to appear before them on 02.03.2023 at 11.00 a.m. 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 Additional Public Prosecutor, since the petitioner is having four previous cases and by giving necessary particulars, the impugned summons has been issued and



Crl.O.P.(MD)No.4065 of 2023

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 Petition is closed.

03.03.2023

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



WEB COPY



Crl.O.P.(MD)No.4065 of 2023

K.MURALI SHANKAR,J.

csn

To

- 1.The Executive Magistrate
Tahsildhar Office,
Thovazhai,
Kanyakumari District.
- 2.The Sub-Inspector of Police,
Aralvoimozhi Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.(MD)No.4065 of 2023
and
CrI.M.P.(MD)No.3630 of 2023

Dated: 03.03.2023