



Crl.O.P(MD)No.6346 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 13.04.2023

CORAM:

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

Crl.O.P(MD)No.6346 of 2021

and

Crl.M.P(MD)Nos.3659 and 3660 of 2021

1.Thambi Balan

2.Arumugam

3.Palanichamy

4.Alagusundaram

5.Rajendiran

6.Dhanapal

7.Kamaraj

8.Ganesan

9.Veerabathran

10.Balu

11.Chinraja

.. Petitioners

Vs.

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1.The Executive Magistrate
and Deputy Commissioner of Police (L&O)
Madurai City, Madurai.
(Proceedings in Na.Ka.No.467/Ni.Se.Na & Ka.Thu.
Aa/Ma.Maa/2021, dated 23.04.2021)

2.The Inspector of Police,
Thilagarthidal Police Station,
Thilagarthidal,
Madurai.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the proceedings in Na.Ka.No.467/Ni.Se.Na & Ka.Thu.Aa/Ma.Maa/2021 dated 23.04.2021 which was served to the petitioners on 25.04.2021 on the file of the first respondent police and quash the same.

For Petitioners : Mr.P.M.Vishnuvarthanan

For Respondents : Mr.M.Muthumanikkam
Government Advocate

ORDER

This Criminal Original Petition has been filed to quash the impugned notice issued by the first respondent in in Na.Ka.No. 467/Ni.Se.Na & Ka.Thu.Aa/Ma.Maa/2021, dated 23.04.2021.



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2. The first respondent issued the impugned show cause notice in Na.Ka.No.467/Ni.Se.Na&Ka.Thu.Aa/Ma.Maa/2021, dated 23.04.2021, under Section 107 r/w 111 of Cr.P.C, whereby explanation was called for from the petitioners to execute the bond for good behavior. The same was challenged by the petitioners on the grounds stated in the memorandum of petition.

3. Pending the same, this Court has not granted any stay of further proceedings. As per Section 111 of Code of Criminal Procedure, enquiry shall be completed within a period of six months and the execution of the bond period is also one year. So, there was no completion of enquiry for the past two years. Hence, the impugned order lost its validity.

4. In result, this Criminal Original Petition is closed without any necessity of further adjudication. Consequently, connected miscellaneous petitions are closed.

13.04.2023

NCC : Yes/No
Internet: Yes/No
Index : Yes/No
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To

- 1.The Executive Magistrate
and Deputy Commissioner of Police (L&O)
Madurai City,
Madurai.
- 2.The Inspector of Police,
Thilagarthidal Police Station,
Thilagarthidal,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

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13.04.2023