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CrI.O.P.No.1966 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.1966 of 2024

And

CrI.M.P.No.1415 of 2024

Mohamed Shahul Hameed

... Petitioner

Vs.

1.The Thasildhar cum Sub Divisional Magistrate
Tiruvarur.

2.The Inspector of Police,
Town Police Station,
Tiruvarur.

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records and quash the impugned summon dated 19.01.2024 in Pa.Ve.53/2024/A.5 on the file of the first respondent.

For Petitioner : M/s.I.Abdul Basith

For Respondents : Mr.A.Gopinath

Government Advocate (CrI. Side)

O R D E R

The criminal original petition has been filed challenging the



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summons issued to the petitioner under Section 110 of Cr.P.C. dated 19.01.2024.

2.Heard the learned counsel for the petitioner as well as the learned Government Advocate (CrI. Side).

3.The summons that is issued under Section 110 of Cr.P.C. must comply with the requirements under Section 111 of Cr.P.C. When a show cause notice is given, the concerned Authority must make an order in writing setting forth the substance of the information received and also the other particulars required. The summon that has been issued to the petitioner is completely silent and it is not in compliance with Section 111 of Cr.P.C. In one such case in CrI.O.P(MD) No.16174 of 2023, this Court had interfered with the summons on the very same grounds by order dated 29.09.2023.

4.In the light of the above discussion, the first respondent is directed to withdraw the summons and shall comply the requirements under Section 111 of Cr.P.C., if any fresh summons is going to be issued issued to the petitioner.



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5.This criminal original petition is disposed of with the above directions. Consequently, the connected miscellaneous petition is closed.

05.02.2024

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1.The Thasildhar cum Sub Divisional Magistrate
Tiruvarur.
- 2.The Inspector of Police,
Town Police Station,
Tiruvarur.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.



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N.ANAND VENKATESH,J.
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