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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.3642 of 2024

Mr.Mahalingam

...Petitioner

.Vs.

1.The Executive Magistrate cum Divisional
Revenue Officer
Nagapattinam District.

2.State rep.by
Inspector of Police
Kilayur Police Station
Nagapattinam Taluk
Nagapattinam District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertains to the impugned order passed by the 1st respondent in M.C.No.14/2023/A3 dated 8.2.2024, pending on the file of the 1st respondent and quash the same.

For Petitioner : Mr.D.Prabhu

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed challenging the impugned proceedings of the 1st respondent in M.C.No.14/2023/A3 dated 8.2.2024.



2.The subject matter of challenge in the present petition pertains to the summon issued under Section 110 of Cr.PC. The main ground that was taken is that the summon was not issued after complying with the mandate under Section 111 of Cr.PC.

3.When the above was pointed out to the learned Government Advocate (Crl.Side), he submitted that the impugned summon will be recalled and a fresh summon will be issued after complying with the requirement under Section 111 of Cr.PC.

4.Recording the above, this criminal original petition is disposed of .

19.02.2024

Speaking Order/Non-Speaking Order
Index: Yes/No
Internet: Yes/No
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To

- 1.The Executive Magistrate cum Divisional
Revenue Officer
Nagapattinam District.
- 2.Inspector of Police
Kilayur Police Station
Nagapattinam Taluk
Nagapattinam District.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.



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N.ANAND VENKATESH.J.,

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19.02.2024