



CRL MP(MD) No.12455 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Wednesday, the Twentieth day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CRL MP(MD) No.12455 of 2024

in

CRL OP(MD) No.20141 of 2024

AROKIYAVINOTH

... PETITIONER

Vs

1 THE SECOND CLASS EXECUTIVE MAGISTRATE CUM TAHSILDAR,  
RAMESHWARAM TALUK,  
RAMANATHAPURAM DISTRICT.

2 THE INSPECTOR OF POLICE,  
PAMPAN POLICE STATION,  
RAMESHWARAM TALUK,  
RAMANATHAPURAM DISTRICT.

3 THE SUB INSPECTOR OF POLICE  
PAMPAN POLICE STATION,  
RAMESHWARAM TALUK,  
RAMANATHAPURAM DISTRICT.

... RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to directing to stay all further impugned proceeding of the 1st Respondent against the petitioner, vide M.C.No.51/2024(A4/3075/2024) dated 23.09.2024, till pending disposal of this Main petition.



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Prayer in CRL OP(MD). 20141/ 2024 :

To call for the entire relevant records related to the impugned proceeding against the petitioner by 1st Respondent, Vide M.C.No.51/2024(A4/3075/2024), dated 23.09.2024 and consequently Quash the same as illegal.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.R.SENTHILKUMAR, Advocate for the petitioner and of MR.M.MUTHUMANIKKAM, Government Advocate (Crl.Side) on behalf of the 1<sup>st</sup> Respondent and MR.A.THIRUVADI KUMAR, Additional Public Prosecutor on behalf of the Respondent Nos.2 & 3, while admitting the Criminal Original Petition, the court made the following order:-

Mr.M.Muthumanikkam, learned Government Advocate takes notice for the first respondent. Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor takes notice for the respondents 2 and 3.

2. The petitioner was served with the impugned notice, directing him to appear before the first respondent to execute a bond for good behavior under Section 128 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

3. The learned counsel for the petitioner contends that the petitioner is not involved in any criminal case, holds a degree, and is actively seeking placement and writing competitive examinations. The petitioner is unaware of the reasons for the issuance of the show cause notice, which is devoid of materials and facts.

4. The learned Additional Public Prosecutor submits that challenges to the summons can only be made on limited grounds and cannot be entertained in all cases. However, he fairly admits that at the request of the third respondent, the first



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respondent issued the notice. In his report No.9/2024, dated 14.09.2024, the third respondent submitted certain particulars, but these are not reflected in the notice.

5. Considering the above said submissions, there shall be an order of interim stay of all further proceedings pursuant to the impugned notice, dated 23.09.2024.

sd/-  
20/11/2024

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/11/2024  
Sub-Assistant Registrar (C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

1 THE SECOND CLASS EXECUTIVE MAGISTRATE CUM TAHSILDAR,  
RAMESHWARAM TALUK,  
RAMANATHAPURAM DISTRICT.

2 THE INSPECTOR OF POLICE,  
PAMPAN POLICE STATION,  
RAMESHWARAM TALUK,  
RAMANATHAPURAM DISTRICT.

3 THE SUB INSPECTOR OF POLICE  
PAMPAN POLICE STATION,  
RAMESHWARAM TALUK,  
RAMANATHAPURAM DISTRICT.

+1 CC TO MR.R.SENTHIL KUMAR, ADVOCATE, SR-14390[I] Dated 22/11/2024



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ORDER

IN

CRL MP(MD) No.12455 of 2024

in

CRL OP(MD) No.20141 of 2024

Date :20/11/2024

RS/VR/SAR-(25.11.2024) 4P 5C

Madurai Bench of Madras High Court is issuing  
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