



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2018

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THE HONOURABLE **MR. JUSTICE N. ANAND VENKATESH**Cr1.O.P. (MD) No. 10686 and 10687 of 2016andCr1.M.P. (MD) No. 5256 and 5257 of 2016

M. Archunan ... Petitioner/Accused in Cr1.O.P. (MD) No. 10686 of 2016
D. Krishnan ... Petitioner/Accused in Cr1.O.P. (MD) No. 10687 of 2016

Vs.

1. The Superintendent of Police,
Ramanathapuram District, Ramanathapuram.

2. The Tahsildar,
2nd Class Administrative Magistrate,
Kadaladi Taluk, Ramanathapuram District.

3. The Inspector of Police,
Kadaladi Police Station,
Kadaladi, Ramanathapuram District.

... Respondents / Complainants
(in both petitions)

Common Prayer:- Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the proceedings in C.C.No.73 of 2016 on the file of the second respondent and set aside the same as illegal in respect of the petitioner concern.

For Petitioners : Mr. K. C. Ramalingam
For Respondents : Mr. K. Suyambulinga Bharathi
Government Advocate (Cr1. Side)
(in both petitions)

COMMON ORDER

This petition has been filed challenging the proceedings initiated under Section 107 Cr.P.C. What is under challenge in this petition is the notice issued under Section 111 Cr.P.C. The **Hon'ble Division Bench in N. Krishnamurthy and Others Vs. Sub Divisional Magistrate cum Revenue Divisional Officer, Krishnagiri and Another** reported in **(2017) 1 MLJ Criminal, Page 257**, has held that such a petition is not maintainable.



2. In view of the judgment of the Division Bench of this Court, this Criminal Original Petitions are dismissed. Consequently, connected Miscellaneous Petitions are dismissed.

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Sd/-

Assistant Registrar (RTI)

// True Copy //

Sub Assistant Registrar (CS-III)

To

1. The Superintendent of Police,
Ramanathapuram District, Ramanathapuram.
2. The Tahsildar,
2nd Class Administrative Magistrate,
Kadaladi Taluk, Ramanathapuram District.
3. The Inspector of Police,
Kadaladi Police Station,
Kadaladi, Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P. (MD) No. 10686 and 10687 of 2016
31.08.2018

SM

TR/PM/SAR-III (24.09.2018) 2P 5C