



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P. (MD) Nos.2478, 2479, 2480, 2481, 2482, 2483, 3461 and 3462 of 2015
and

WEB COPY

M.P. (MD) Nos.1,1,1,1,1,1,1,2 and 2 of 2015

1 MADHAVAN
2 SASIKUMAR
3 SHANMUGAVEL
4 PALANICHAMY ... PETITIONERS/ACCUSED 1 TO 4 in CRL OP(MD) No.2478/15

1 RAJAKANNAPPAN
2 MADHAVAN
3 SASIKUMAR
4 SHANMUGAVEL
5 PALANICHAMY
6 THANGAMMAL .. PETITIONERS/ACCUSED IN 1 TO 6 in CRL OP(MD) No.2479/2015

1 RAJAKANNAPPAN
2 ASHOKAN
3 RAMALINGAM
4 KARUCHITHAMBARAM
5 MURUGESAN
6 PREM
7 VENGAI @ KALIDOSS
8 R.M.S.PALANIKUMAR
9 A.V.NAGARAJAN
10 VISWANATHAN ... PETITIONERS/ACCUSED NOS.1 TO 10
in CRL OP(MD) No.2480 TO 2482 of 2015

1 RAJAKANNAPPAN
2 P.N.S.RAJA
3 VASU
4 RAMALINGAM
5 ASHOKAN ... PETITIONERS/ACCUSED NOS.1 TO 5 in CRL OP(MD) No.2483/15

1 CHIDAMBARAM
2 DURAIMARAN @ MANIMARAN
3 TAMILARASU
4 GANAPATHI
5 ALAGU
6 RAMACHANDRAN
7 ALAGAPPAN
8 SINGARAM
9 RAJENDRAN
10 KANNAN
11 THIRUPATHI
12 JEYASEELAN ... PETITIONERS/ACCUSED NOS.1 TO 12
in CRL OP(MD) No.3461 of 2015

1 RAJAKANNAPPAN
2 KALAYARASAN
3 MADHAVAN @ LONDON MADHAVAN
4 RAMAN



5 VENKATATHRI @ SESHATHRI
6 SAKTHI @ SAKTHIVEL ... PETITIONERS/ACCUSED NOS. 1 TO 6
in CRL OP(MD) No.3462 of 2015

-VS-

WEB COPY

1 THE SUB INSPECTOR OF POLICE,
S.V.MANGALAM POLICE STATION,
SIVAGANGAI DISTRICT.
CR.NO.40/2011. ...1ST RESPONDENT/COMPLAINANT
IN CRL.OP(MD)NOS.2478 & 2479/15

2 S.SHANMUGAM ... 2ND RESPONDENT/DEFACTO COMPLAINANT
in CRL OP(MD) Nos.2478 & 2479 of 2015

1 THE SUB INSPECTOR OF POLICE,
THIRUPATHUR TOWN POLICE STATION,
SIVAGANGAI DISTRICT.
CR.NO.44 OF 2011. ...1ST RESPONDENT/COMPLAINANT
in CRL OP(MD) Nos.2480 TO 2482/2015

2 SUBRAMANIAN ... 2ND RESPONDENT/DEFACTO COMPLAINANT
in CRL OP(MD) Nos.2480 TO 2482/2015

1 THE SUB INSPECTOR OF POLICE,
SINGAMPUNARI POLICE STATION,
SIVAGANGAI DISTRICT.
CR.NO.73/2011. ...1ST RESPONDENT/COMPLAINANT
in CRL OP(MD) No.2483 of 2015

2 KARUNANIDHI ...2ND RESPONDENT/DEFACTO COMPLAINANT
in CRL OP(MD) No.2483 of 2015

THE SUB INSPECTOR OF POLICE,
THIRUKOSHITIYUR POLICE STATION,
SIVAGANGAI DISTRICT.
CR. NOS.19 & 15/2011. ...1ST RESPONDENT/COMPLAINANT
in CRL OP(MD) Nos.3461 & 3462 of 2015

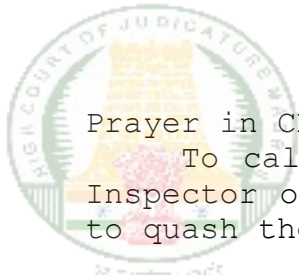
BASKARAN ...2ND RESPONDENT/DEFACTO COMPLAINANT
in CRL OP(MD) No.3461 of 2015

MANOHARAN ...2ND RESPONDENT/DEFACTO COMPLAINANT
in CRL OP(MD) No.3462 of 2015

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to

Prayer in CRL OP(MD) No.2478 of 2015:

To call for the records in Cr.No.40 of 2011 on the file of the Sub Inspector of Police, S.V.Mangalam Police Station, Sivagangai District and to quash the same



Prayer in CRL OP(MD) No.2479 of 2015:

To call for the records in Cr.No.41 of 2011 on the file of the Sub Inspector of Police, S.V.Mangalam Police Station, Sivagangai District and to quash the same.

Prayer in CRL OP(MD) No.2480 of 2015:

To call for the records in Cr.No.44 of 2011 on the file of the Sub Inspector of Police, Thirupathur Town Police Station, Sivagangai District and to quash the same.

Prayer in CRL OP(MD) No.2481 of 2015:

To call for the records in Cr.No.45 of 2011 on the file of the Sub Inspector of Police, Thirupathur Town Police Station, Sivagangai District and to quash the same.

Prayer in CRL OP(MD) No.2482 of 2015:

To call for the records in Cr.No.46 of 2011 on the file of the Sub Inspector of Police, Thirupathur Town Police Station, Sivagangai District and to quash the same.

Prayer in CRL OP(MD) No.2483 of 2015:

To call for the records in Cr.No.73 of 2011 on the file of the Sub Inspector of Police, Singampunari Police Station, Sivagangai District and to quash the same.

Prayer in CRL OP(MD) No.3461 of 2015:

To call for the records in C.C. No. 136/2011 on the file of the Judicial Magistrate, Thirupathur, Sivagangai District and to quash the same.

Prayer in CRL OP(MD) No.3462 of 2015:

To call for the records in STC. No. 834 of 2013 on the file of the Judicial Magistrate, Thirupathur, Sivagangai District and to quash the same.

PETITIONERS APPEARANCE :

For Petitioner

in all cases : Mr.V.Kathirvelu

Senior Counsel for Mr.K.Prabhu

For 1st Respondent : Mrs.S.Prabha

Govt. Advocate (Crl.side)

in all cases

COMMON ORDER

Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl.Side).

2. As the issues involved in all these criminal original petitions are one and the same, they have been taken up together and a common order is being passed.



3. All these cases have been registered for the alleged violation in the conduct of the election conducted in the year 2011.

4. The allegations are too general in nature to the effect that the petitioners along with others drove the number of vehicles without permission, causing traffic congestion, showed the party symbol without permission, contrary to the election rules and regulations and used loud speakers without permission and burst crackers.

5. A perusal of the aforesaid complaint would show that the petitioners have been arrayed as accused, because they were the office bearers of the political party. As rightly submitted by the learned Senior Counsel appearing for the petitioners, the allegations are too vague. The submission made by the learned Senior Counsel that almost all similar complaints have been withdrawn is not denied or disputed by the learned Government Advocate (Crl.Side). There is nothing on record to show about the progress made since 2011.

6. Considering the above said facts and circumstances, this Court is of the view that no useful purpose will be served in keeping the complaints pending for more than four years. Accordingly all the complaints are quashed.

7. In the result, all the Criminal Original Petitions stand allowed. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. THE JUDICIAL MAGISTRATE, TIRUPATHUR, SIVAGANGAI DISTRICT.
2. THE SUB INSPECTOR OF POLICE,
S.V.MANGALAM POLICE STATION, SIVAGANGAI DISTRICT.
3. THE SUB INSPECTOR OF POLICE,
TIRUPATHUR TOWN POLICE STATION, SIVAGANGAI DISTRICT.
4. THE SUB INSPECTOR OF POLICE,
SINGAMPUNARI POLICE STATION, SIVAGANGAI DISTRICT.
5. THE SUB INSPECTOR OF POLICE,
THIRUHOSTIYUR POLICE STATION, SIVAGANGAI DISTRICT.

6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to MR.K.PRABHU, Advocate in SR.No. 26877

Ssl

SR/PRV : 18.06.2015 : 4p/8c

Crl.O.P.(MD)Nos.2478, 2479, 2480, 2481,
2482, 2483,3461 and 3462 of 2015

and

M.P. (MD) Nos.1,1,1,1,1,1,1,1,2 and 2 of 2015

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