



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P.(MD)Nos.10044, 11884,11905,11935,12270 and 12350 of 2011
and
Connected Miscellaneous Petitions

J.Paul Baskar ... Petitioner in all cases
Vs.

Respondents in Crl.O.P.(MD).No.10044 of 2011:

1. State rep. by
The Inspector of Police,
Dindigul Town North Police Station,
Dindigul District.
(In Crime No. 446 of 2011)
2. A.Sekar ... Respondents

Respondents in Crl.O.P.(MD).No.11884 of 2011:

1. The Inspector of Police,
Town West Police Station,
Dindigul.
(In Crime No. 245 of 2011)
- 2.K.Murugesan ... Respondents

Respondents in Crl.O.P.(MD).No.11905 of 2011:

1. The Inspector of Police,
Town West Police Station,
Dindigul. (In Crime No. 46 of 2011)
2. Manoharan ... Respondents

Respondents in Crl.O.P.(MD).No.11935 of 2011:

1. The Inspector of Police,
Town North Police Station,
Dindigul. (In Crime No. 431 of 2011)
2. A.Sekar ... Respondents

Respondents in Crl.O.P.(MD).No.12270 of 2011:

1. The Inspector of Police,
Town South Police Station,
Dindigul. (In Crime No. 431 of 2011)
2. P.Ponnaiah ... Respondents

**Respondents in Crl.O.P.(MD).No.12350 of 2011:**

1. The Inspector of Police,
Town South Police Station,
Dindigul. (In Crime No. 284 of 2011)

2. P.Ponnaiah

... Respondents

Prayer in Crl.O.P.(MD).No.10044 of 2011: Criminal Original Petitions are filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the charge sheet in C.C.No.169 of 2011 on the file of the Judicial Magistrate Court No.II, Dindigul and quash the same as illegal.

Prayer in Crl.O.P.(MD).No.11884 of 2011: Criminal Original Petitions are filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the charge sheet in S.T.C.No.111 of 2011 on the file of the Judicial Magistrate Court No.I, Dindigul and quash the same as illegal.

Prayer in Crl.O.P.(MD).No.11905 of 2011: Criminal Original Petitions are filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the charge sheet in S.T.C.No.108 of 2011 on the file of the Judicial Magistrate Court No.I, Dindigul and quash the same as illegal.

Prayer in Crl.O.P.(MD).No.11935 of 2011: Criminal Original Petitions are filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the charge sheet in C.C.No.156 of 2011 on the file of the Judicial Magistrate Court No.II, Dindigul and quash the same as illegal.

Prayer in Crl.O.P.(MD).No.12270 of 2011: Criminal Original Petitions are filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the charge sheet in S.T.C.No.84 of 2011 on the file of the Judicial Magistrate Court No.III, Dindigul and quash the same as illegal.

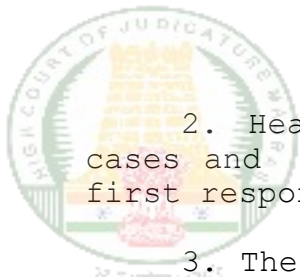
Prayer in Crl.O.P.(MD).No.12350 of 2011: Criminal Original Petitions are filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the charge sheet in S.T.C.No.103 of 2011 on the file of the Judicial Magistrate Court No.III, Dindigul and quash the same as illegal.

For Petitioner in all cases : Mr.M.Ajmal Khan
Senior Counsel
for M/s.Ajmal Associates

For Respondent-1 in all cases : Ms.S.Prabha
Government Advocate (Crl. Side)

O R D E R

Seeking to quash the cases in C.C.Nos.169/11 & 156/11 and S.T.C.NOS.106/11, 84/11, 111/11 & 103/11, these petitions have been filed.



2. Heard the learned counsel appearing for the petitioner in all cases and the learned Government Advocate (Crl. Side) appearing for the first respondent in all cases and perused the records.

3. The petitioner has been arrayed as accused for the offences under Sections 143 and 188 of Indian Penal Code, in two cases and in other cases under Section 4(1)(A) of Tamil Nadu Open Places Prevention of Disfigurement Act, 1959. In these cases the allegation against the petitioner is that he and some of his party members have drawn the symbols on the compound wall and then issued handbills. Perusal of the complaint and the material particulars show that absolutely there are no materials in support of such complaints and the complaints are also very vague.

4. Considering the above, this court is of the view that these are fit cases to quash. Accordingly, the proceedings in C.C.Nos.169/11 & 156/11 on the file of the learned Judicial Magistrate No.II, Dindigul, S.T.C.Nos.108/11 & 111/11 on the file of the learned Judicial Magistrate No.I and S.T.C.Nos.84/11 & 103/11 on the file of the learned Judicial Magistrate No.III, Dindigul are quashed.

5. Accordingly, these Criminal Original Petitions are allowed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate No.I, Dindigul.

2.The Judicial Magistrate No.II, Dindigul.

3.The Judicial Magistrate No.III, Dindigul.

4. The Inspector of Police,
Dindigul Town North Police Station, Dindigul District.

5. The Inspector of Police, Town West Police Station, Dindigul.

6. The Inspector of Police, Town North Police Station, Dindigul.

7. The Inspector of Police, Town South Police Station, Dindigul.

8. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+6ccs to M/S.AJMAL ASSOCIATES, Advocate in SR.No. 34075 TO 34080

SR : 23.07.2015 : 3P/15C

Crl.O.P.(MD)Nos.10044, 11884,11905,
11935,12270 and 12350 of 2011
and

Connected Miscellaneous Petitions
25.06.2015