

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.14021 of 2016

and

Crl.MP.Nos.7152 & 7153 of 2016

G.Kathirvel,
Proprietor-cum-Reporter,
"Nallaachi"Monthly Magazine,
No.4/17, Grey Nagar 3rd Street,
Pulianthope,
Chennai - 600 012. ... Petitioner/Accused-1

Vs.

C.V.N.Kumarasamy ... Respondent/complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the entire records comprised in C.C.No.113 of 2015, pending on the file of learned Judicial Magistrate Court No.I at Chengalpattu and quash the same.

For Petitioner : Mr.Vimal B.Crimson
For Respondent : Mr.C.Emalias Additional
Public Prosecutor

O R D E R

सत्यमेव जयते

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.113 of 2015 on the file of the Judicial Magistrate Court No.I at Chengalpattu.

2. On a reading of the complaint, it is seen that the petitioner has published an article against the complainant, which prima facie appears to be defamatory and hence the prosecution cannot be quashed in the light of the recent judgment of the Hon'ble Supreme court in Subramania Swamy Vs. Union of India [2016(5) Scale 329].

3. Recording the same, this Criminal Original petition is closed with liberty to the petitioner to raise all the points

before the trial Court. Consequently, connected miscellaneous petitions are closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Judicial Magistrate No.I
Chengalpattu

2.do Thro The Chief Judicial
Magistrate Kancheepuram

Crl. O.P. No.14021 of 2016

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