



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eighth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION (MD) No.17277 of 2017

AND

CRL.MP.(MD)NO.11331 of 2017

1.K.R.PERIYA KARUPPAN	[PETITIONERS]
2.T.SARAVANAN	
3.SOMASUNDARAM	
4.SEZHIAN	
5.SENGAIMARAN	
6.MANIMUTHU	
7.CHARLAS	
8.N.M.CHAKLA	
9.RAJKUMAR	
10.SENTHILKUMAR @ NAGADI SENTHILKUMAR	
11.PANDIAN @ POOKADAI PANDIAN	
12.SIKKANDAR BADUSHA	
13.KAVITHASAN	
14.BASKARA PANDIAN	
15.CHANDRAN	
16.KALIMUTHU @ KAVIGNAR KALIMUTHU	
17.VAITHIALINGAM	
18.MOHAMED MEERA	
19.MUNIANDI	
20.MURUGESAN	
21.GUNASEKARAN	
22.CHOKKU @ LAKSHMANAN	
23.RAVICHANDRAN	

VS

1.THE STATE REP.BY	[RESPONDENT/COMPLAINANT]
THE INSPECTOR OF POLICE,	
THIRUPPATHUR POLICE STATION,	
SIVAGANGAI DISTRICT.	



2.SENTHILKUMAR

[RESPONDENT/DEFACTO COMPLAINANT]

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Petitions praying that in the circumstances stated therein the High Court will be pleased to

(i) Call for the records relating to the impugned proceedings PRC NO.32/2015 on the file of District Munsif-Cum-Judicial Magistrate, Thirupathur, in Crime No.397 of 2015 on the file of Inspector of police, Thiruppathur Police Station, Sivagangai District, quash the same CRL.OP.(MD)NO.17277/2017.

(ii) Stay all further proceedings in PRC NO.32/2015 on the file of District Munsif Cum Judicial Magistrate, Thirupathur, in Crime No.397/2015 on the file of Inspector of Police, Thiruppathur Police Station, Sivagangai District, pending disposal of the above quash petition CRL.OP.(MD)NO.17277/2017. (CRL.MP.(MD)NO.11331/2017)

Order : These petitions coming on for orders upon perusing the petitions and upon hearing the arguments of M/S.VEERA ASSOCIATES Advocate for the petitioner and of THE PUBLIC PROSECUTOR on behalf of the 1st Respondent the court made the following order:-

The learned counsel for the petitioners would submit that the incident had happened on 24.10.2015 at the event of offering respect and homage to the Maruthu Brothers Memorial Day. The incident was not intentional and it had happened while the vehicle has crossed the crowd which was celebrating the Maruthu Brothers Memorial Day.

2. The learned counsel for the petitioners would further submit that absolutely no averments made as if the petitioners have either assaulted or used criminal force to deter public servant from discharge of his duty. He would further submit that the petitioners are also prepared to make out the loss sustained to the van.

3. The learned Additional Public Prosecutor for the first respondent would submit that the value of the wind-screen is Rs.2000/-. He would further submit that as per the averments, the second petitioner is stated to have caused the damage.

4. List the case on 20.04.2022. Meanwhile, the second petitioner is directed to deposit an amount of Rs.5000/- to the account of News and Public Information Department, Collectorate, Sivagangai District and produce the receipt before this Court by the next hearing date i.e., on 20.04.2022.



-sd/-
08/04/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

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TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, THIRUPATHUR.

2 THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
THIRUPATHUR POLICE STATION,
SIVAGANGAI
DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

6 THE NEWS AND PUBLIC
INFORMATION DEPARTMENT, COLLECTORATE,
SIVAGANGAI DISTRICT.

+2 CC to M/S.S.ARIVAZHAGAN, Advocate on payment of necessary
charges SR.NO.5418

CRL.OP (MD) .17277/2017
AND
CRL.MP. (MD) .11331/2017
Date :08/04/2022

JPA 11/04/2022