

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) Nos.12163 & 11494 of 2018

& CrI.O.P.Nos.5099 of 2019 & 6211 of 2021

and CrI.M.P(MD) .Nos. 5522 & 5212 of 2018

& CrI.M.P.Nos.2963 of 2019 & 4091 of 2021

S.VE.SHEKHER

[PETITIONER/SOLE ACCUSED
IN CrI.O.P. (MD)NOS.12163 & 11494/2018
& CrI.M.P(MD) Nos.5212 & 5522/2018
& CrI.O.P.NO.5099/2019
AND CrI.M.P.Nos.2963/2019
CrI.O.P.No.6211/2021
& CrI.M.P.No.4091/2021]

Vs

DALIT PANDIYAN

[RESPONDENT/COMPLAINANT
IN CrI.O.P. (MD)NOS.12163/2018
& CrI.M.P(MD) No.5522/2018

AL.GOPALASASMY
S/O.AIYASAMY,
PRESIDENT,
NELLAIPATHIRIKAIYALR MANTRAM,

[RESPONDENT/COMPLAINANT
IN CrI.O.P. (MD)NOS.11494/2018]
& CrI.M.P(MD) No.5212/2018

S.SEKARAN
SON OF P.SURULIMANI
ADVISOR FOR TIRUVALLUR DISTRICT
TAMIL NADU REPORTER PRESS PROTECTION WELFARE,

[RESPONDENT/COMPLAINANT
AND CrI.M.P.No.2963/2019
IN CrI.O.P.NO.5099/2019]

1 THE INSPECTOR OF POLICE
CYBER CRIME CELL, CENTRAL CRIME BRANCH,
NO.132, COMMISSIONER OFFICE BUILDING,
EVK SAMPATH ROAD, VEPERY, PERIYAMET,
CHENNAI-600 007.

[RESPONDENTS IN
CrI.O.P.NO.6211 /2021
CrI.M.P.No.4091/2021]

2 A.MIDHAR MOIDEEN
S/O.ABDUL RAHMAN,
STATE GENERAL SECRETARY,
TAMILNADU JOURNALIST PROTECTION
AND WELFARE ASSOCIATION,
NO.96, ANBU NAGAR, 7TH STREET,
VALASARAWAKKAM, CHENNAI-87.

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

(i) To pass an order to call for the records C.C.No.223 of 2018 on the file of the file of Judicial Magistrate No.II, Karur, and quash the same. (Crl.O.P.(MD)NO.12163/2018)

(ii) To pass an order to call for the records C.C.No.154 of 2018 on the file of the file of Judicial Magistrate No.I, Tirunelveli, and quash the same. (Crl.O.P.(MD)NO.11494/2018)

(iii) To Call for the records in S.T.C.No.276 of 2018 pending on the file of the learned Judicial Magistrate Court at Ambattur and may be pleased to quash the same as against the petitioner. [CRL.OP.NO.5099/2019]

(iv) To Call for the records in C.C.No.62 of 2019 on the file of the Learned Assistant Sessions Judge, Special Court for Trial of Cases Relating to MPs and MLAs Chennai-1 and to quash the same as against the petitioner. [IN CRL.OP.NO.6211/2021]

(v) To Stay all further proceedings C.C.No.154 of 2018 on the file of the file of Judicial Magistrate No.I, Tirunelveli, pending disposal of the above Quash petition Crl.O.P.(MD)NO.11494/2018. (CRL.MP(MD) No.5212/2018)

(vi) To Stay all further proceedings C.C.No.223 of 2018 on the file of the file of Judicial Magistrate No.II, Karur, pending disposal of the above Quash petition Crl.O.P.(MD)NO.12163/2018. (CRL.MP(MD) No.5522/2018)

(vii) To stay all further proceedings in S.T.C.No.276 of 2018 on the file of the Learned Judicial Magistrate Court at Ambattur, pending disposal of the above Crl.OP.No.5099/2019. [CRL.MP.NO.2963/2019]

(viii) To Stay all further proceedings in C.C.No.62 of 2019 on the file of the Learned Assistant Sessions Judge, Special Court for Trial of Cases Relating to MPs and MLAs Chennai-1, pending disposal of the above Crl.O.P.No.6211/2021. (CRL.M.P.NO.4091/2021)

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of MR.AR.JEYA RHUTHRAN, Advocate for the petitioner, (Crl.O.P.(MD)NOS.12163 & 11494/2018 & CRL.MP(MD) Nos.5212,5522/2018) and of M/S.VENKATESH MAHADEVAN, Advocate for the petitioner, (CRL.O.P.NO.5099/2019 AND CRL.M.P.Nos.2963/2019) AND (CRL.O.P.NO.6211/2021 & CRL.M.P.NO.4091/2021) and of MR.THIRUMOORTHY, Advocate for the respondent (Crl.O.P.NO.5099 of 2019) and of MR.MANIKANDAN, Advocate for MR.T.LAJAPATHY ROY, on half of the Respondent, (Crl.O.P.(MD) NOS.11494/2018) in The Additional Public Prosecutor, on behalf of the 1st Respondent, (CRL.O.P.NO.6211/2021 and CRL.M.P.NO.4091/2021) the court made the following order:-

Learned Additional Public Prosecutor would submit that the petitioner, though directed by this Court to cooperate with the Investigation Agency, has not cooperated with the Investigation Agency.

2. In reply, Mr.M.Venkatesh, learned counsel appearing for the petitioner would submit that whatever the information was available with him, has been disclosed to the respondent police. He would reiterate that the petitioner is not only prepared to file common affidavit, he is also ready to file individual affidavit in respect of each of the complainant and tender his apology and he is also ready to give his undertaking that he will not indulge in such kind of activities in future.

3. Mr.Thirumoorthy, learned counsel would submit that it is not the first case of the petitioner behaving in such a way. It is a regular habit of the petitioner to do things like this and thereafter apologise.

4. Interim stay already granted by this Court is extended till 18.04.2022.

5. Post the matter on 18.04.2022.

-sd/-
08/04/2022

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

TRUE COPY

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

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, KARUR.

2 THE CHIEF JUDICIAL MAGISTRATE
KARUR. [FOR INFORMATION]

3 THE JUDICIAL MAGISTRATE,
NO.I, TIRUNELVELI.

4 THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI. [FOR INFORMATION]

5 THE JUDICIAL MAGISTRATE,
AMBATTUR, THIRUVALLUR DISTRICT.

6 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

7 THE ASSISTANT SESSIONS JUDGE, SPECIAL COURT
FOR TRIAL OF CASES RELATING TO MPS AND
MLAS, SINGARAVELAR MALIGAI, CHENNAI

8 THE INSPECTOR OF POLICE
CYBER CRIME CELL,
CENTRAL CRIME BRANCH, NO.
132, COMMISSIONER OFFICE BUILDING,
EVK SAMPATH ROAD,
VEPERY, PERIYAMET,
CHENNAI-600 007.

9 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to MR.AR.JEYA RHUTHRAN, Advocate on payment of necessary
charges

Crl.O.P(MD).Nos.12163 & 11494 of 2018
& Crl.O.P.Nos.5099 of 2019 & 6211 of 2021
and Crl.M.P(MD).Nos. 5522 & 5212 of 2018
& Crl.M.P.Nos.2963 of 2019 & 4091 of 2021

Date :08/04/2022

JPA 12/04/2022