

IN THE HIGH COURT OF JUDICATURE AT MADRAS
RESERVED ON : 18.06.2018
DELIVERED ON: 20.06.2018
CORAM :
THE HONOURABLE Mrs. JUSTICE R. HEMALATHA
Crl.O.P.No.20186 of 2013
and
M.P.No.1 of 2013

Varagur Kamaraj

... Petitioner

//vs//

The Public Prosecutor
Ariyalur District,
Representing the
Government of Tamil Nadu

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records in C.C.No.4 of 2012 on the file of the learned Principal District and Sessions Judge, Ariyalur and quash the same.

For Petitioner : Mr.B.Nambiselvam &
Mr.R.Vijayakumar

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (crl.side)

ORDER

The present petition under Section 482 of the Code of Criminal Procedure has been filed to call for the records in C.C.No.4 of 2012 on the file of the learned Principal District and Sessions Judge, Ariyalur and quash the same.

2. The petitioner is the accused in C.C.No.4 of 2012 on the file of the learned Principal District and Sessions Judge, Ariyalur. The Public Prosecutor, Ariyalur District had filed a complaint against the petitioner/accused for the alleged offences punishable under Section 499 and 500 of the Indian Penal Code.

3. The learned counsel appearing for the petitioner would contend that the allegations made against the then Honourable the Chief Minister of Tamil Nadu do not amount to any defamation. A perusal of the remarks made in the complaint prima facie shows that it is defamatory in nature. It cannot also be held to be a public criticism made in good faith and it does not fall in any of the exceptions enumerated in Section 499

of Indian Penal Code. Hence, I do not find any reason to quash the petition.

4. In the result, this Criminal Original Petition is dismissed. Consequently, connected criminal miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

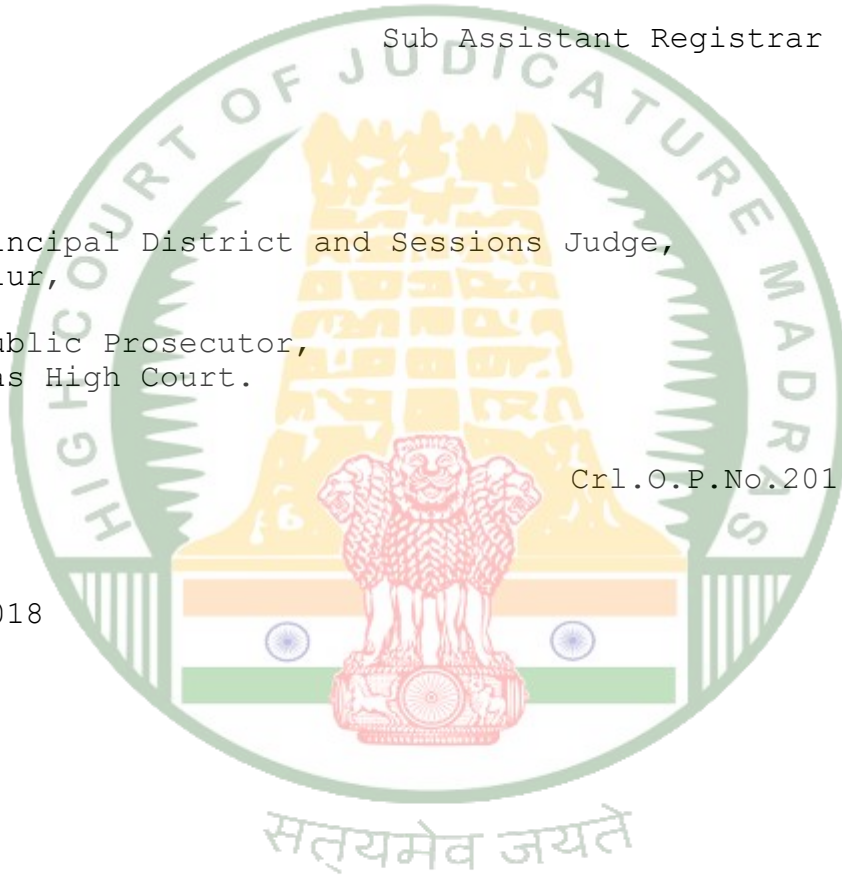
mst

To

1. The Principal District and Sessions Judge,
Ariyalur,
2. The Public Prosecutor,
Madras High Court.

Crl.O.P.No.20186 of 2013

aa25/06/2018



WEB COPY