



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1 OP (MD)No.11254 of 2011
and
MP(MD)Nos.1 to 3 of 2011

1.S.Thirunavukarasar
2.Thennavan
3.Durai Ganesan
4.Sivanantham
5.Narayanan

... Petitioners

Vs.

State.rep.by
The Inspector of Police,
Karaikudi North Police Station,
Karaikudi.
(Crime No.130/2011)

... Respondent

Prayer : This Criminal Original Petition is filed under Section 482 of Cr.PC, to call for the records in S.T.C.No.1823 of 2011 pending on the file of the learned Judicial Magistrate, Karaikudi and quash the same.

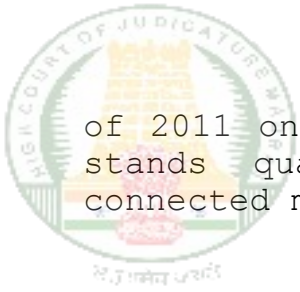
For Petitioners	:	Mr.S.Veeranasamy
For Respondent	:	Mr.A.Robinson, Government Advocate

ORDER

Heard the learned counsel on either side.

2.The petitioners filed this Criminal Original Petition for quashing the impugned proceedings in S.T.C.No.1823 of 2011 pending on the file of the learned Judicial Magistrate, Karaikudi. The case was registered in April 2011 as the number of cars exceeded the limit stipulated by the Electoral Authority. In this case, the requirement under Section 195 of Cr.Pc has not been followed. The case was taken on file based on the police report.

3. In this view of the matter, this Court is of the view that continuing the impugned prosecution would only amount to an abuse of legal process. Hence, the impugned proceedings in S.T.C.No.1823



of 2011 on the file of the learned Judicial Magistrate, Karaikudi stands quashed. This petition stands allowed. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Judicial Magistrate, Karaikudi.
2. The Inspector of Police,
Karaikudi North Police Station,
Karaikudi.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

SKM

TE/RP/SAR-3 : 09/08/2018 : 2P/4C

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