



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 31.01.2019

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA
Crl.O.P.(MD).No.1314 of 2019

and

Crl.M.P(MD)Nos.655 & 656 of 2019

WEB COPY

- 1.Ganesan
- 2.Arumugam
- 3.Annakodi
- 4.Selvamani
- 5.Muthusamy
- 6.Ganesan
- 7.Selvakalidoss
- 8.Ammasi
- 9.Vairavan
- 10.Ananth
- 11.Karuppaiah

... Petitioners/Accused
Nos.2,5,6,8 to 11, 14, 15, 17 & 18

Vs.

The State rep. By
The Sub Inspector of Police,
Mamsapuram Police Station,
Virudhunagar District.
(Crime No.97 of 2016)

... Respondent/Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to the proceedings in C.C.No.272 of 2016, pending before the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District and quash the same in respect of petitioners.

For Petitioners : Mr.Veera Kathiravan
Senior Counsel
for Mr.G.Mariappan

For Respondent : Mr.A.Robinson
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.272 of 2016, pending before the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District for the offences under Sections 143, 286 of IPC and Act 192(A) of Motor Vehicles Act and Section 4AA (1a) of Tamilnadu Open Places (Prevention of Disfigurement) Act, 1959 r/w 188 of IPC.

2.The learned counsel appearing for the petitioners would submit that the facts of the case are exactly similar to the case covered in the decision reported in **2018 2 LW (Crl) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District] dated 20.09.2018.**



3. The learned Government Advocate (Crl.side) appearing for the respondent filed a counter and would submit that the facts of the case are similar to the facts covered under the Judgment referred above.

WEB COPY

4. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.side) appearing for the respondent.

5. The facts of this case is similar to the facts covered by the Judgment of this Court reported in **2018 2 LW (Cr1) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District] dated 20.09.2018.** Accordingly, the proceedings in C.C.No.272 of 2016, pending on the file of the Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District is hereby quashed and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

sd/
Assistant Registrar(crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Sub Inspector of Police,
Mamsapuram Police Station,
Virudhunagar District.
2. The Judicial Magistrate No.II,
Srivilliputhur, Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) .No.1314 of 2019
31.01.2019

am/jer
MK (25.03.2019) 2P 4C