



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P. [MD]No.4539 of 2019

and

Cr1.M.P. (MD)No.2786 of 2019

S.Sundarraaj

: Petitioner

/Vs./

State rep. By
The Inspector of Police,
Krishnankovil Police Station,
Krishnankovil,
Virudhunagar District,
(Crime No.196 of 2018)

: Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records connected in the order passed in Crime No.196 of 2018 dated 13.10.2018 on the file of the respondent police and quash the same as so far as concerned with the petitioner / sole accused.

For Petitioner	: Mr.M.Ganeshkamu
For Respondent	: Mr.V.Neelakandan
	Additional Public Prosecutor

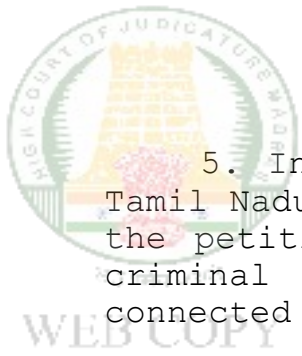
ORDER

The present case is filed to quash the order passed in Crime No.196 of 2018 dated 13.10.2018.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3. The learned Additional Public Prosecutor submitted that inasmuch as the offence is said to have been committed in Krishnankovil, which is a rural area in Virudhunagar District, the Tamil Nadu City Police Act, 1888 will not apply and hence the offence under Section 75 of the Tamil Nadu City Police Act may not be constituted. So far as the offence under Section 7(1)(A) of the Criminal Law Amendment Act, 2005 is concerned, charge sheet has been laid.

4. The said statement of the learned Additional Public Prosecutor is recorded.



5. In view of the above, the offence under Section 75 of the Tamil Nadu City Police Act, 1888 alone is quashed. As to the rests the petitioner is directed to face the trial. Accordingly, this criminal original petition is partly allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Inspector of Police,
Krishnankovil Police Station,
Krishnankovil,
Virudhunagar District,
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.M.GANESH KAMU, Advocate Sr. No. 58358

Cr1.O.P. [MD] No. 4539 of 2019
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TR (29.04.2019) 2P 4C