



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2019

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.O.P. (MD) No.4888 of 2019

and

CRL.M.P. (MD) Nos.3031 and 3032 of 2019

1.Mahesh
2.Ashok
3.Rajkumar
4.Gokula Krishnan
5.Guru

... Petitioners / Accused

Vs.

1.The State represented by
The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.
(Crime No.126 of 2014)

... 1st Respondent /
Complainant

2.Pauldurai Nadar
(Died)

... 2nd Respondent / Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the impugned complaint in P.R.C.No.135 of 2018 on the file of the learned Judicial Magistrate, Srivaikuntam and quash the same.

For Petitioners : Mr.R.Anand for M/s.M.Saravanan
For R1 : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side).

ORDER

This petition has been filed to quash the impugned complaint in P.R.C.No.135 of 2018 on the file of the learned Judicial Magistrate, Srivaikuntam.

2.The case of the prosecution is that there was a dispute with regard to the administration of the temple, in which one group lodged a complaint under Sections 147, 148, 294(b) and 506(ii) IPC and Section 3 of TNPPDL Act. Challenging the said complaint, the present petition has been filed.

3.The learned counsel appearing for the petitioners relied upon the judgment of the Hon'ble Apex Court in the case of **Rasheed**



8. Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

WEB COPY

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Judicial Magistrate,
Srivaikuntam.
2. The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+3cc to Mr.M.SARAVANAN, Advocate, SR.No.60482

CRL.O.P. (MD) No. 4888 of 2019
10.04.2019

MYR

KK/SAR/20.05.2019/ 3P- 7C