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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.11035 of 2017

and

Crl.M.P.(MD) Nos.7540 & 7541 of 2017

Valliyappan

...Petitioner

vs.

1) The Sub Collector,
Devakottai Revenue Sub Division,
Devakottai,
Sivagangai District.

2) The Special Officer/ Block
Development Officer (VP),
Thiruppathur Panchayat Union,
Sivagangai District.

3) The Inspector of Police,
Nerkkuppai Police Station,
Sivagangai District.

4) Karu.Valliyappan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records pertaining to the proceedings of the 1st respondent in e.f.M1/4983/2017 dated 13.07.2017 and quash the same as illegal.

For Petitioner : Mr.A.Prasanna Rajadurai
For Mr.S.Muthalraj

For RR 1 to 3 : Mr.S.Chandrasekar,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking to quash the proceedings initiated by the first respondent under Section 133(vi) of the Criminal Procedure Code.

2. The proceedings have been initiated on the ground that the petitioner had been entertaining stray dogs and also feeding them and thereby he is creating nuisance to the general public.



3. The learned counsel for the petitioner submitted that there is a private dispute between the petitioner and the *de facto* complainant and therefore, a false complaint has been given in this regard.

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4. Heard the learned Additional Public Prosecutor appearing on behalf of the respondents 1 to 3.

5. Taking into consideration of the facts and circumstances of the case, it is apparent that the entire proceedings is an abuse of process of law and it requires the interference of this Court in exercise of its jurisdiction under Section 482 of Cr.P.C.

6. Accordingly, the proceedings in e.f.M1/4983/2017 dated 13.07.2017 pending on the file of the first respondent is hereby quashed and accordingly, the Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (crl side)

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1) The Sub Collector,
Devakottai Revenue Sub Division,
Devakottai,
Sivagangai District.
- 2) The Special Officer/ Block
Development Officer (VP),
Thiruppathur Panchayat Union,
Sivagangai District.
- 3) The Inspector of Police,
Nerkkuppai Police Station,
Sivagangai District.
- 4) The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.NA.PALANIYANDI, Advocate (SR-100796[F]dated
22/11/2019)

Order made in

CrI.O.P. (MD) .No.11035 of 2017

22.11.2019