

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2020

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.28254 of 2015 and
Cr1.M.P.Nos.1 & 2 of 2015

1.E.Liakath Ali
2.A.Hidayathulla
3.A.Basheer Ahamed
4.A.Jaffer Ali
5.A.Hahbeeb Rahman
6.A.Faizal Ahamed
7.Abdul Raheem
8.A.Ainudeen
9.Siddiq Basha
10.M.Mohamed Rabeek
11.I.Kaleel Rahman
12.I.Rabeek

... Petitioners

Vs.

1.The Sub-Divisional Magistrate and Sub Collector,
Perambalur Taluk,
Perambalur District.

2.The Inspector of Police,
Mangalamedu Police Station,
Mangalamedu,
Perambalur District.

(Crime No.Not Known of 15) ... Respondents/Complainment

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the entire records connected within Na.Ka.A3/3438/2015, dated 11.11.2015, on the file of the 1st respondent herein as well as the Crime No.Not Known of 2015 on the file of the 2nd respondent and quash the same.

For Petitioners: No Appearance

For Respondents: Mr.C.Iyyappa Raj
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceedings in Na.Ka.A3/3438/2015, dated 11.11.2015, on the file of the 1st respondent.

2.No representation for the petitioners either in person or by their respective counsel.

3.The petitioners are B-party in the proceedings initiated by the 1st respondent in Na.Ka.A3/3438/2015, dated 11.11.2015. The B-Party/petitioners belong to Muslim community and A-party belong to Hindu Community. There seems to be some defamatory article published in the local newspapers which caused hatred between two communities which leads to breach of peace and disturbance to public tranquillity. Therefore, the 2nd respondent through the 1st respondent, initiated proceedings under Section 107 Cr.P.C, against which the present petition.

4.The learned Additional Public Prosecutor appearing for the respondents submitted that the limitation period for the proceedings under Section 107 Cr.P.C., is one year, now the limitation period elapsed. He further submitted that there is no tension prevailing in the disputed area and normalcy prevailing and the necessity for continuation of the proceedings does not arise in the present situation.

5.It is seen that the limitation period for proceedings initiated under Section 107 Cr.P.C is one year and the same elapsed. Further, in the disputed area, normalcy has been returned and no breach of the peace or disturbance of public tranquility. Hence this Court finds that there is no necessity in quashing the proceedings in Na.Ka.A3/3438/2015, dated 11.11.2015.

6.Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The Sub-Divisional Magistrate and Sub Collector,
Perambalur Taluk,
Perambalur District.

2.The Inspector of Police,
Mangalamedu Police Station,
Mangalamedu,
Perambalur District.

3.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.28254 of 2015

PP(CO)
CB(21/09/2020)



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