



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

WEB COPY

**Crl.O.P. (MD) .No. 2112 of 2020
and Crl.M.P(MD)Nos. 1076 and 1077 of 2020**

1. Mohamed Madarsha
2. Riya Ahamed
3. Mariya Arputham
4. Fouzur Rahaman
5. Ramadass
6. Maideen Batcha
7. Mohamed Abdullah
8. Sheik Fasith
9. Kaja Sherif
10. Rahmathullah
11. Riyas Deen
12. Pandiayan
13. Arumugam
14. Batcha Miyaan
15. Mohamed Nazir
16. Abdul Lathif
17. Rasith Ahamed

... Petitioners/A1 to 11 & 13 to 17

Vs.

1. The State rep. By
The Inspector of Police,
City North Police Station
Dindigul.
(Crime No. 195 of 2016)

... R-1/Complainant

2. Theivam,
The Inspector of Police,
City North Police Station,
Dindigul.

... R-2/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the case in C.C.No.516 of 2016 on the file of the learned Judicial Magistrate No.II, Dindigul in Crime No.195 of 2016 on the file of the Respondent police and quash the same as illegal in so far as the petitioners.

For Petitioners: Mr.B. Arun

For R-1

: Mr.S. Chandrasekar

Additional Public Prosecutor



ORDER

This Criminal Original Petition has been filed to quash the case in C.C.No.516 of 2016 on the file of the learned Judicial Magistrate No.II, Dindigul in Crime No.195 of 2016 on the file of the Respondent police.

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 (Cr1) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District] dated 20.09.2018** and in case of **Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other in batch of cases in Crl.O.P(MD) No.7922 of 2019 dated 30.08.2019.**

3. The learned Additional Public Prosecutor appearing for the respondent would submit that the facts of the case are similar to the facts covered under the Judgment referred above.

4.Heard both sides and perused the materials on record

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** and in case of **Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other in batch of cases in Crl.O.P(MD) No.7922 of 2019 dated 30.08.2019.** Considering the facts and submissions, the proceedings in C.C.No. 516 of 2016 on the file of the learned Judicial Magistrate No.II, Dindigul, is hereby quashed insofar as the petitioners are concerned and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (crl.side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ksa

To

1. The Judicial Magistrate No.II,
Dindigul.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The Inspector of Police,
City North Police Station
Dindigul.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.B.ARUN, Advocate (SR-5315[F] dated 07/02/2020)

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07.02.2020

MK (20.02.2020) 3P 5C