



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2020

CORAM:

THE HONOURABLE **MR. JUSTICE A.D. JAGADISH CHANDIRA**

WEB COPY

Crl.O.P. (MD) .No.2198 of 2020

and

Crl.M.P(MD) No. 1122 of 2020

1. N. Parveen Ahamed
2. A.Asraf Ali
3. M.Yasar Arafad
4. J.Sathique Ali
5. I.Shahul Hameed
6. A.Kaja Maideen
7. U.Mohamad Musthab
- 8.A.Riyas Ahamed
- 9.K.Sheik Fareed
10. N.Batchha
11. M.Thamumoon Ansari
12. S.Mohamed Yasin
13. A.Sheik Fareed
14. M.Abdul Hakkim
15. A.Nainar Mohamad
16. M.Jamal Mohamad

...Petitioners/Accused Nos.3 to 6, 8,
9, 11, 12, 17, 18, 20, 21, 24, 26, 27 and 31

Vs.

- 1.State through
The Inspector of Police,
Town North Police Station
Dindigul District.

... Respondent/De jure Complainant

2. P.Deivam
The Inspector of Police,
Town North Police STation
Dindigul District

... Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in connected with the case in C.C.No.510 of 2017 pending on the file of the learned Judicial Magistrate No.II, Dindigul and quash the same as illegal insofar as it relates to the petitioners are concerned.

For Petitioners : Mr.I.Sabeer Mohammed

For Respondent : Mr.S.Chandrasekar
Additional Public Prosecutor



ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.510 of 2017 pending on the file of the learned Judicial Magistrate No.II, Dindigul for the offences under Sections 143,341 and 188 of IPC.

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 reported in (2019)4 MLJ(Cr1.)175**

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 reported in (2019)4 MLJ(Cr1.)175**. Considering the facts and submissions, the proceedings in C.C.No.510 of 2017 pending 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 petition is also closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Judicial Magistrate No.II, Dindigul

2.The Inspector of Police,
Town North Police Station
Dindigul District

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

+1 CC to M/s.I.SABEER MOHAMED, Advocate (SR-5372[F] dated
10/02/2020)

CrI.O.P.(MD) .No.2198 of 2020
and
CrI.M.P(MD) No. 1122 of 2020
10.02.2020

JMN(19.02.2020) 3P : 5C