



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.14273 of 2016

and

Crl.M.P. (MD) Nos.6667 and 6668 of 2016

E.V.K.S.Elangovan

... Petitioner/Accused

Vs.

The Public Prosecutor,
Kanyakumari District,
at Nagercoil.

... Respondent/
Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records relating to the proceedings in C.C.No.1 of 2016, on the file of the Principal District and Sessions Judge, Kanyakumari District at Nagercoil and to quash the same.

For Petitioner : Mrs.Jessi Jeva Priya

For Respondent : Mr.A.Robinson
Government Advocate (Crl.side)

ORDER

This criminal original petition has been filed for quashing the impugned proceeding in C.C.No.1 of 2016 on the file of the Principal District and Sessions Judge, Kanyakumari District, Nagercoil.

2.The petitioner herein is shown as sole accused. When he was the president of the Tamil Nadu Congress Committee, while addressing a public meeting at Karungal Santhai Ground on 27.09.2015, the petitioner had alleged that corruption is highly prevalent. For having made such an imputation, the impugned complaint came to be lodged by the respondent herein. The petitioner is a prominent opposition leader. He has made general allegations that corruption is prevalent throughout. As a political leader, he is definitely entitled to make such a statement. He has not specifically defamed the then Hon'ble Chief Minister. The complaint has been filed on the premise that the petitioner has defamed the then Hon'ble Chief Minister. The then Chief Minister is also no more.



3. I am of the view that the continuation of the impugned proceedings is not going to serve any purpose. In this view of the matter, the impugned proceedings stand quashed. This criminal original petition stands allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

rmi

To

1. The Public Prosecutor,
Kanyakumari District,
at Nagercoil.
2. The Principal District and Sessions Judge,
Kanyakumari District at Nagercoil.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P (MD) No.14273 of 2016
and
Cr1.M.P. (MD) Nos.6667 and 6668 of 2016
13.02.2020

AP (02/06/2020) 2P 4C