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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.5790 of 2021
and Crl.MP.Nos.3751 & 3752 of 2021

1. Ramasamy
2. Jambukeswaran
3. Krishnan
4. Palanisamy
5. Manokaran
6. Krishnamoorthy
7. Rangasamy
8. Venkatasalam

...Petitioners

Vs.

1. The Sub Inspector of Police,
Mallasamudram Police Station,
Namakkal District.

2. V.Sundar

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in STC. No.628 of 2015 on the file of the learned Judicial Magistrate, Tiruchengode and and quash the same.

For Petitioners : Mr.M.Suresh

For Respondents : Mr.M.Mohamed Riyaz
Addl. Public Prosecutor

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**ORDER**

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This Criminal Original Petition has been filed seeking to quash the proceedings in STC. No.628 of 2015 on the file of the learned Judicial Magistrate, Tiruchengode.

2. It is alleged that the petitioners were involved in the protest over a temple dispute. On this allegation, no offence of criminal restraint has been made out and there is no offence under Section 341 of IPC.

3. The facts of this case are covered by the reported Judgments of this Court in ***Jeevanandham and others Vs. State Rep. by Inspector of Police and another*** reported in ***(2018) 2 LW CrL 606*** and ***Sri Raja Vs. State Rep. By Inspector of Police, Sivakasi Town Police Station, Virudhunagar District, and another*** reported in ***(2019) 2 LW CrL 350***. Accordingly, the proceedings in STC. No.628 of 2015 on the file of the learned Judicial Magistrate, Tiruchengode, is hereby quashed and the Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petitions are closed.

24.03.2021

Speaking Order/Non-Speaking Order

Index: Yes/No



Internet: Yes/No

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To

1. The Sub Inspector of Police,
Mallasamudram Police Station,
Namakkal District.
2. The Judicial Magistrate, Tiruchengode
3. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH,J.

Rli

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The matter is posted under the caption 'For Being Mentioned'.

2.It is brought to the notice of this Court that while passing the final orders, due to oversight, the STC number was wrongly mentioned as STC.No.628 of 2015 instead of STC No.682 of 2015. The learned counsel submitted that this error has to be rectified and a fresh order copy must be issued.

3.Registry is directed to carry out the necessary correction and mention the STC Number as STC.No.682 of 2015. A fresh order copy shall be given to the learned counsel for the petitioner next week.

12.11.2021

ssr



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N.ANAND VENKATESH., J.

SSr

Crl.O.PNo.5790 of 2021

12.11.2021