

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.OP.No.21411 of 2017

1. K.Nandagopal Chetty
2. D.N.Subramanian
3. Dilip Shah
4. Purushotaman

...Petitioners

Vs.

Shivprasadh

...Respondent

Prayer: This Criminal Original Petition filed under Section 482 of Cr.P.C., calling for the records in CC.No.5805 of 2006 pending trial before the learned XVII Metropolitan Magistrate, Saidapet, Chennai and quash the same.

For Petitioners : Mr.K.P.Anantha Krishna

For Respondent : No appearance

ORDER

This petition has been filed to quash the proceedings in CC.No.5809 of 2006 pending on the file of the learned XVII Metropolitan Magistrate, Chennai.

2. In this case, the petitioners have been arrayed as A7, A9, A11 and A14 in defamation complaint given by the respondent.

3. The learned counsel for the petitioner brought to the notice of this Court, the order passed by the Hon'ble Division Bench in Crl.OP.No.5015 of 2008, dated 04.11.2019, wherein the Hon'ble Division Bench of this Court in the very same complaint was considering the petition filed by A8 and found that the publication made against the respondent will not amount to defamatory statement. The Division Bench also took into consideration the earlier order passed in Crl.OP.No.1325 of 2008 dated 16.10.2014 wherein the petition filed by A7 in the very same complaint was quashed by this court.

4. The petitioners also stand in the same footing and the above orders will enure to the benefit to the petitioners also. The continuation of the proceedings against the petitioners will be an abuse of process of Court.

5. In the result, the proceedings in CC.No.5805 of 2006 pending before the learned XVII Metropolitan Magistrate, Saidapet, Chennai is quashed and this Criminal Original Petition is allowed.

Sd/-  
Assistant Registrar(CS VI)

//True copy//

Sub Assistant Registrar

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To

The XVII Metropolitan Magistrate,  
Saidapet, Chennai

+lcc to Mr.K.P.Anantha, Advocate SR.No.7262

Cr1.OP.No.21411 of 2017

NRL (CO)  
KKV/05/03/2021



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