



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.5638 of 2021

and

Crl.M.P (MD) No.3235 of 2021

A.Venkatesh

... Petitioner

Vs.

1.The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.
(Crime No.401/2016)

... Respondent No.1

2.The Sub Inspector of Police,
Tenkasi Police Station,
Tenkasi District.

...Respondent No.2/
Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in pursuant to the Crime No.401/2016 on the file of Tenkasi Police Station, Tenkasi District and quash the same.

For Petitioner	: Mr.M.Karthikeyavenkitachalapathy
For Respondents	: Mr.R.Anandharaj
	Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking quashment of Crime No.401 of 2016 on the file of Inspector of Police, Tenkasi Police Station, Tenkasi District.

2.The case of the prosecution is that the petitioner posted a message in the Social Media stating that to ascertain the real fact about the treatment of the erstwhile Chief Minister of Tamil Nadu Selvi.J.Jeyalalitha, he planned to observe continuous fasting at Chennai. Hence, the defacto complainant wanted to enquire the petitioner. When, he tried to serve summon for enquiry, the petitioner prevented the Government Servant to discharge their duty and scolded in filthy language. Thereafter, a case in Crime No.401 of 2016 has been registered for the offence under Sections 294(b),



353, 506(ii), 505(1(b) of I.P.C., and Section 66(D) 66(E) of Information Technology Act. Seeking quashment of the aforesaid case, the petitioner filed the present petition.

3. When the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that the investigation is completed and draft charge sheet is made ready and the same is yet to be filed before the concerned court.

4. According to the learned counsel for the petitioner, the petitioner has moved a petition before the trial court for the similar prayer in Crl.M.P.No.1350 of 2020 and on that petition, there was a representation made by the respondent police that the investigation is completed and the charge sheet is under preparation and on that basis, the petition was allowed on 08.09.2020 and two months time was granted to complete the investigation and file a final report.

5. In view of the above submission, nothing survives for further adjudication in this petition. However, there shall be a direction to the first respondent herein to file a final report within a period of fifteen days from the date of receipt of a copy of this order before the concerned Court.

6. With the above directions, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.

2. The Sub Inspector of Police,
Tenkasi Police Station,
Tenkasi District.

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



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

WEB COPY

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AS (09.06.2021) 3P 4C