



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CRL. O.P. NO. 10503 OF 2018
AND
CRL.M.P.NOS.5381 & 5382 OF 2018

Dr.Sri Devi ...Petitioner / Accused No.4

Versus

1.Amala Valantine ...Respondent / Complainant

2.Malar Publication
The Printer and Publisher,
Malai Malar, Rani Building,
No.86, Periyar High Road,
Vepery,
Chennai-600007.

3.The Chief Manager,
Malai Malar, Rani Building,
No.86, Periyar High Road,
Vepery,
Chennai-600007.

4.The Reporter
Chengalpattu Area,
Malai Malar, Rani Building,
No.86, Periyar High Road,
Vepery,
Chennai-600007.

...Respondents / Accused 1 to 3

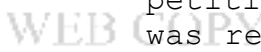
PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in C.C.No.3877 of 2014, on the file of the IX Metropolitan Magistrate, Saidapet, Chennai-600015 and quash the same.

For Petitioners : Mr.M.Muniruddin Sheriff
For Respondent : MR.R.N.Amarnath for R1

ORDER

(This case has been heard through video conference)

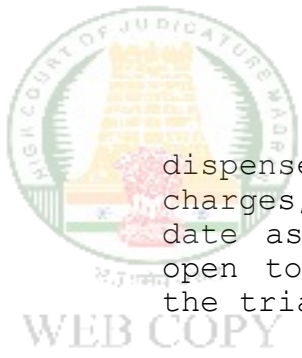
This Criminal Original Petition has been filed to quash the proceedings in C.C.No.3877 of 2014 on the file of the IX



2. The crux of the allegations in the complaint is that the petitioner originally gave a complaint before the police which was registered in Crime.No.34 of 2014. Pursuant to the same, the petitioner's husband was arrested. Thereafter, it was published in the tamil Daily "Malai Murasu" publication dated 27.01.2014. The said news item contained defamatory statement regarding the complainant and her husband with respect to complaint given by the petitioner/4th accused. The main allegation in the complaint indicates that the photographs that appeared in the newspaper are morphed ones and the defamatory statement has been published after getting the said photographs from the Facebook account of the complainant's husband illegally without permission. It is also alleged that the 4th accused, who was present in the police station claims that she will publish a photograph in the newspaper. Hence, the publication has affected the reputation of the complainant and hence filed the complaint against the publication in question that the husband of the petitioner was cheated and her husband's photographs also appeared. It is the specific contention of the complainant that the photograph is morphed one and the allegations are defamatory in nature.

4. Heard Mr.M.Muniruddin Sheriff, learned counsel for the petitioner and MR.R.N.Amarnath, learned counsel for the first respondent and perused the entire materials available on record.

6. At this juncture, the learned counsel appearing for the petitioner seeks indulgence of this Court to dispense with the personal appearance of the petitioner. Accordingly, the personal appearance of the petitioner/accused before the trial Court is



dispensed with, except for receipt of copies, answering the charges, questioning under Section 313 Cr.P.C, or on any other date as may be required by the trial Court. It is very well open to the petitioner/accused to raise all her defence before the trial Court.

7. Accordingly, this Criminal Original Petition is dismissed with a direction to the Trial Court to dispose of the main case as expeditiously as possible. Consequently, connected Criminal Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar

psa/msv

To

1.The IX Metropolitan Magistrate,
Saidapet, Chennai.

2.(do through) The Chief Metropolitan Magistrate,
Egmore, Chennai.

+1cc to Mr.R.N.Amarnath, Advocate Sr.No.5503

+1cc to Mr.M.Muniruddin Sheriff, Advocate Sr.No.5504

Cr1.O.P.No.10503 of 2018
and Cr1.M.P.Nos.5381 & 5382 of 2018

JPL(CO)
RVM(11/02/2022)