



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.05.2022

CORAM

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

CrI.O.P No.12800 of 2022

and

CrI.M.P.Nos.6973 & 6974 of 2022

K.Muruganantham

.. Petitioner

vs.

State rep.by
The Inspector of Police,
Vridhachalam Police Station,
Cuddalore District.
(Cr.No.717 of 2017)

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the charge sheet laid down in S.T.C.No.1363 of 2019, pending on the file of the Judicial Magistrate No.1, Vridhachalam and quash the same.

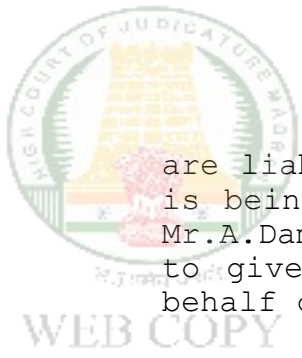
For Petitioner : Mr.A.Suresh Sakthi Murugan

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition is filed to quash the proceedings in S.T.C.No.1363 of 2019, pending on the file of Judicial Magistrate No.1, Vridhachalam.

2. The allegation against the petitioner is that they pasted the posters demanding the withdrawal of CCA, NRC, NPR. This Court already has laid down in the Judgment in "Pavayi Vs. The State represented by the Sub Inspector of Police, Thiruchengode Town Police Station and another" (CrI.O.P.No.20346 of 2019 dated 30.07.2019) has held that in respect of such cases, prior permission under Section 155 of Cr.P.C., from the learned Magistrate is mandatory and proceedings to the contrary



are liable to be quashed. In the instant case also investigation is being proceeded without obtaining any such prior permission. Mr.A.Damodaran, learned Additional Public Prosecutor is unable to give any valid answer in respect of the said contention on behalf of the petitioner.

3. In that view of the matter, this Criminal Original Petition is allowed and the proceedings in S.T.C.No.1363 of 2019 on the file of the Judicial Magistrate No.1, Vridhachalam is quashed. Consequently, connected Criminal Miscellaneous Petitions are closed.

Sd/-
Deputy Registrar(CS)

//True copy//

Sub Assistant Registrar

shk/kp

To

1. The Judicial Magistrate No.1
Vridhachalam.
2. The Inspector of Police,
Vridhachalam Police Station,
Cuddalore District.
3. The Public Prosecutor,
Madras High Court.

+1cc to Mr.A.Suresh Sakthi Murugan, Advocate SR.No.31936

Crl.O.P No.12800 of 2022
and
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GMR(CO)
GMY(23/06/2022)