



Crl.O.P.No.16093 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2022

CORAM:

THE HONOURABLE Dr. JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.16093 of 2019

and

Crl.M.P.No.8040 of 2019

J.Aslam Basha

..Petitioner

Vs.

1.State rep. by
The Inspector of Police,
Vaniyambadi Town Police Station,
Vellore District.

2.G.Sathasivam

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in Crime.No.237 of 2017, on the file of Vaniyambadi Town Police Station and quash the same.

For Petitioner : Mr.V.Krishnamoorthy

For R1 : Mr.N.S.Suganthan
Government Advocate (Crl.Side)

For R2 : No appearance



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ORDER

This Criminal Original Petition is filed to quash the criminal complaint registered by the 1st respondent based on the complaint given by the 2nd respondent for the alleged offence under Section 153 A, I.P.C.

2. Reading of the complaint does not disclose any of the ingredients required for Section 153 A, I.P.C., some utterance in the public meeting being taken as incitement to create disharmony among the groups. Except the complaint, there is nothing to indicate that the said utterance was made by this petitioner. Even assuming the same, the said utterance does not go with anywhere near the assumption of incitement. It is a clear case of complaint arising out of political vengeance registered at the behest of member of the ruling party against the opposition party member.

3. Hence, the Criminal Original Petition stands allowed. Consequently, the connected Criminal Miscellaneous Petition is also closed.

14.10.2022

Index :Yes/No.
Speaking order/Non-speaking order



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WEB COPY To,

1. The Inspector of Police,
Vaniyambadi Town Police Station,
Vellore District.

2. The Public Prosecutor,
High Court, Madras.



WEB COPY



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Dr.G.JAYACHANDRAN,J.

rpl

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