



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2022

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P.NO.17596 OF 2021

Sadagopan

...Petitioner

Vs.

1.The State: By Inspector of Police,
C-3, Seven Wells Police Station,
Chennai - 600 001.

2.Naina Mohammed

3.Imran @ Imran Khan

4.M.A.Mohideed @ Mohammed Mohideen

5.Ameer Amsa

...Respondents

PRAYER : Criminal Original Petition had been filed under Section 482 of Cr.P.C, praying to set aside the adjudication order dated 10.08.2021 in C.C.No.1501 of 2014 on the file of the learned Chief Metropolitan Magistrate, Egmore.

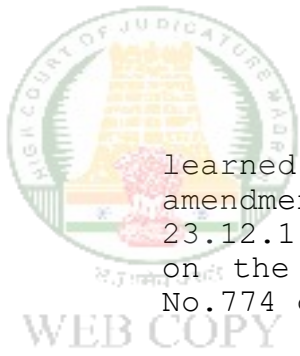
For Petitioner : M/s.E.Swetha

For R1 : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

When the Case came up for hearing today, the learned Counsel for the Petitioner submitted that the Petitioner had approached this Court seeking to set aside the order passed by the learned Chief Metropolitan Magistrate, Egmore in CC.No.1501 of 2014 dated 10.08.2021.

2. It is the submission of the learned Counsel for the Petitioner that as per "Tamil Nadu Public Property (Prevention of Damage and Loss) Act 1992", which was later amended wherein the word "Public" was removed read as "Tamil Nadu Property (Prevention of Damage and Loss) Act. Subsequently, thereby the private properties also if damaged in rioting was included. The



learned Counsel for the Petitioner, furnished the copy of the amendment before this Court as per the GOMS no.731 dated 23.12.1992, the learned Counsel for the Petitioner also relied on the order of this Court dated 27.07.2009 in Crl.R.C.(MD) No.774 of 2006.

3. Since, the Petitioner had approached this Court seeking to set aside the order, the submission of the learned Government Advocate is not necessary. On perusal of the above Act and subsequent amendment, the submission of the learned Counsel for the Petitioner is accepted. Therefore, the order passed by the learned Chief Metropolitan Magistrate is set aside.

4. Learned Chief Metropolitan Magistrate, Egmore, is directed to consider the inclusion of the provisions of "Tamil Nadu Property (Prevention of Damage and Loss) Act and to dispose of the Case in accordance with law within a reasonable period of three months from the date of receipt of a copy of this order.

5. With the above directions, this Petition is disposed of.

Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

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To

1.The Inspector of Police,
C-3, Seven Wells Police Station,
Chennai - 600 001.

2.The Public Prosecutor
High Court, Madras.

+1cc to Mr.T.K.S.Gandhi, Advocate Sr.No.37321

Crl.O.P.No.17596 of 2021

AK-II(CO)
RVM(06/07/2022)