



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 04.02.2022

Pronounced on : 25.04.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD) Nos.1841 & 1843 of 2022

in Crl OP(MD)No.1841 of 2022 : -

Esakkiraja @ Esakki

... Petitioner/Sole Accused

Vs.

1.State, rep.by
The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.

...1st Respondent/
Complainant

(Crime No.158 of 2020)

2.Parasakthi
Village Administrative Officer,
Meelavittan Part II,
Thoothukudi

...2nd Respondent/
Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C to call for the records relating to the case in Crime No.158 of 2020 on the file of the first respondent police and quash the same as against the petitioner alone.

in Crl OP(MD)No.1843 of 2022 : -

Esakkiraja @ Esakki

... Petitioner/Sole Accused

Vs.

1.State, rep.by
The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.

...1st Respondent/Complainant

(Crime No.192 of 2021)



2.Stalin

...2nd Respondent/
Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C to call for the records relating to the case in Crime No.192 of 2021 on the file of the first respondent police and quash the same as against the petitioner.
in both cases :

For Petitioner : Mr.P.Senguttarasan in both Crl. OPs

For Respondent R1 : Mr.M.Sakthi Kumar,
Government Advocate (crl.side)
in Crl OP(MD) 1841 of 2022
& Crl OP(MD) 1843 of 2022

ORDER

Crl OP(MD)No.1841 of 2022 is dismissed as withdrawn. I make it clear that I have not gone into the merits of the matter. All the contentions and defences of the petitioner are left open.

2.Crl OP(MD)No.1843 of 2022 has been filed to quash the FIR in Crime No.192 of 2021 registered on the file of the Thoothukudi South Police Station for the offences under Sections 153A, 294(b), 505(1) (b) and 506(1) of IPC. The case of the prosecution is that the petitioner had abused the then Hon'ble Chief Minister of Tamil Nadu and Hon'ble Minister. However, the FIR is utterly vague. It is not known as to how the petitioner had sought to pit one group against the other. In any event, the person aggrieved has not filed any complaint. Only an utter stranger appears to have given the complaint. No case is made out against the petitioner. The impugned FIR stands quashed. Crl OP(MD)No.1843 of 2022 is allowed.

Sd/-

Assistant Registrar (Admin I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

skm

To

1. The Inspector of Police, Thoothukudi South Police Station,
Thoothukudi District.

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



3.Village Administrative Officer,
Meelavittan Part II,
Thoothukudi

Crl.O.P. (MD) No.1841 & 1843 of 2022
25.04.2022

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MGJ(24.05.2022) 3P 4C