



Crl.O.P.(MD)No.15794 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 21.09.2022

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

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and

Crl.M.P(MD)No.10440 of 2022

- 1.Siva Raman
- 2.Subramaniyan
- 3.Raman
- 4.KTS Palaniyappan
- 5.Renkanathan
- 6.Selva Bharathi
- 7.Muthukkrishnan
- 8.Saravanan
- 9.Nagaraj
- 10.Mathavan
- 11.Murugappan
- 12.Sethu



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13.Karthikeyan

14.Krishnanmoorthy

15.Arunachalam

16.Valliyappan

17.Muthu

18.Pakamapiriyam

...Petitioners

Vs.

1.The Inspector of Police,
Pallathur Police Station,
Sivagangai District.

2.A.Silviya Jasmine

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the entire records in relating to the impugned FIR in Crime No.70 of 2022 on the file of the respondent police and its consequential proceedings and to quash the same.

For Petitioners : Mrs.Bala Meenakshi for
Mr.Pala.Ramasamy

For R1 : Mr.B.Nambi Selvan
Additional Public Prosecutor



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ORDER

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This Petition is filed to quash the First Information Report in Crime No.70 of 2022 on the file of the first Respondent.

2.The learned Counsel for the Petitioners submits that the first Respondent has no power to conduct raid as per Section 5 of the Tamil Nadu Gaming Act in the club. The Officer not below the rank of Deputy Superintendent of Police alone can conduct the raid and can inspect the premises of the club. Here, the first Respondent alleged to have conducted the raid and registered the FIR. Therefore, the learned Counsel for the Petitioners seeks to quash the First Information Report in Crime No.70 of 2022. It is the further submission of the learned Counsel for the Petitioners that the Petitioners are the owner of the property and they had obtained licence.

3.The learned Additional Public Prosecutor for the first Respondent by way of reply submits that the Petitioners are running a club illegally. As per the Tamil Nadu Gaming Act, the Petitioners have to obtain 'No



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Objection Certificate' from the Superintendent of Police of the District concerned. In this case, no such licence had been obtained. He would further submits that 13 vehicles have been seized and a sum of Rs.69,950/- had been recovered on the spot. Further, the learned Additional Public Prosecutor submits that on 09.07.2022, permission had been granted by the Deputy Superintendent of Police, Karaikudi to conduct the raid.

4.In the light of the vehement objection of the learned Additional Public Prosecutor, this Petition stands dismissed. Consequently, connected Miscellaneous Petition is closed.

Internet :Yes./No
Index :Yes/No
mm

21.09.2022

To

- 1.The Inspector of Police,
Pallathur Police Station,
Sivagangai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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SATHI KUMAR SUKUMARA KURUP, J.

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