



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.18568 of 2021

and

Crl.M.P.(MD)Nos.10254 & 10255 of 2021

WEB COPY

1.K.Asokan

2.R.Kannan

3.S.Madhavan

4.Joe Stalin

5.Jayavel

...Petitioners/
Accused Nos.3 to 7

vs.

S.R.Jangid

...Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in respect of C.C.No.104 of 2014 on the file of the Judicial Magistrate No.I, Nagercoil and quash the same as against the petitioners / accused as not maintainable.

For Petitioners : Mr.N.Ramesh

For Respondent : No appearance

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.104 of 2014 on the file of the Judicial Magistrate No.I, Nagercoil.

2.It is a private complaint instituted by the respondent herein. Though the notice issued to the respondent has been served and his name is also printed in the cause list, he has not chosen to enter appearance either in person or through counsel.

3.The respondent herein instituted the impugned complaint against the accused for the offences under Sections 499 and 500 of IPC. He felt aggrieved by the offending publication in Junior Vikatan issue dated 20.04.2012. The first and second accused had filed Crl.O.P.(MD)No.21037 of 2014 and the same was allowed by me vide order dated 25.09.2019. The petitioners herein were



associated with the magazine in their respective capacities as publisher, editor, printer, reporter and photographer.

4. The petitioner's counsel points out that the offending publication was virtually a verbatim reproduction of the proceedings pertaining to Crl.O.P.(MD)No.24763 of 2011. A copy of the order dated 18.04.2013 made in the said petition has been enclosed in the typed set of papers.

5. I carefully went through its entire contents. I notice that the offending publication is a true report of the proceedings that took place before the Madras High Court. Therefore, I sustain the contention of the learned counsel for the petitioners that the case on hand would clearly fall within the 4th exception to Section 499 of I.P.C. The impugned proceedings stand quashed. This Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

rim

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Judicial Magistrate No.I, Nagercoil.

Crl.O.P. (MD)No.18568 of 2021
07.01.2022

AP (20.01.2022) 2P 2C