



WEB COPY



Crl.O.P.No.15012 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.15012 of 2023
and Crl.M.P.No.9324 of 2023

Arul ... Petitioner
/vs/

1.State represented by
The Sub-Inspector of Police,
Edaikkal Police Station,
Ulundurpet Taluka,
Kallakurichi District – 606 305
(Crime No.81 of 2023)

2.Saravanan ... Respondents

PRAYER : The Criminal Original Petition has been filed under Section 482 of Cr.P.C. to call for the records in Crime No.81 of 2023 pending on the file of the 1st respondent pending disposal of this criminal original petition.

For Petitioner	...	Mr.N.Ponraj
For Respondent	...	Mr.S.Udaya Kumar
No.1		Government Advocate (Crl.side)
For Respondent	...	Mr.S.Ramajayam
No.2		

ORDER

Petition to quash crime No.81 of 2023 pending on the file of the first respondent police.



CrI.O.P.No.15012 of 2023

WEB COPY 2. Though the petitioner claims that the complaint given with an ulterior motive to prevent the petitioner from raising his voice as whistle blower objecting illegal construction and encroachment in the water body. Though several allegations are made to make out a case of malafide, this Court finds that the complaint against the petitioner is that he was damaging the deities in the newly constructed temple causing severe law and order problem in the village.

3. In view of the above, the reason stated in the First Information Report does not fall under the parameter laid down by the Hon'ble Supreme Court in *M/s Neeharika Infrastructure Private Limited v. State of Maharashtra and others reported in [AIR 2021 SCC 1918]*. Accordingly, the criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

Index : Yes/No
Internet : Yes/No
sms

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To

1. The Sub-Inspector of Police,
Edaikkal Police Station,
Ulundurpet Taluka,
Kallakurichi District – 606 305
(Crime No.81 of 2023)

2. The Public Prosecutor,
High Court, Madras.



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G.JAYACHANDRAN,J.

sms

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