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Crl.OP.No.15960 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.15960 of 2023
and Crl.M.P.No.9989 of 2023

Sathish
S/o.Rajakannu

... Petitioner

Vs.

1. The State Rep. by
The Inspector of Police,
Mangalampet,
Cuddalore District.
(Crime No.165 of 2020)

2. Soundharapandiyan

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in Crime No.165 of 2020 pending on the file of the first respondent police and to quash the same.

For Petitioner : Mr.M.Kalaiyaran
For Respondent : Mr.A.Damodaran
Addl Public Prosecutor [R1]

ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.165 of 2020 pending on the file of



the first respondent police.

WEB COPY 2. Heard learned counsel for petitioner and learned Additional Public Prosecutor appearing for first respondent.

3. The second respondent had given a complaint to the first respondent to the effect that the petitioner had forwarded a message from his face book account which will cause unnecessary communal problem and will result in law and order problem. Based on the same, the First Information Report came to be registered by the first respondent in Crime No.165 of 2020 for offences u/s.153-A and 505(1)(b) IPC.

4. This Court has carefully gone through the alleged message that was sent by the petitioner. Even if the message is taken as it is, it is seen that the petitioner was giving his opinion on a particular belief and such information will not in anyway cause any communal disturbance leading to law and order problem. None of the offences mentioned in the First Information Report is made out against the petitioner and the continuation of investigation by the first respondent will only lead to abuse of process of law.



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WEB COPY In the light of the above, this Criminal Original Petition is allowed and the proceedings in Crime No.165 of 2020 pending on the file of the first respondent police, is quashed. Consequently, connected miscellaneous petition is closed.

19.07.2023

Speaking Order/Non-speaking Order

Index : Yes/No

Neutral citation: Yes/No

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To

1. The Inspector of Police,
Mangalampet,
Cuddalore District.
2. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J.

gm

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