



WEB COPY



Crl.OP.No.16055 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.16055 of 2023

and

Crl.M.P.No.10076 of 2023

C.Thamizh Azhagan,
S/o.P.Chandrasekaran

... Petitioner

Vs.

1. The State Rep. by
Inspector of Police,
Villianur Police Station,
Villianur, Puducherry – 605 110.
Cr.No.102/2022

2. K.Gnanasekaran

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to Crime No.102 of 2022 on the file of the 1st respondent police and quash the same by allowing this criminal original petition.

For Petitioner : Mr.T.Sundaravadanam

For Respondents : Mr.K.S.Mohandoss
Public Prosecutor [Puducherry] [R1]



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ORDER

WEB COPY This petition has been filed seeking to quash the proceedings in Crime No.102 of 2022 on the file of the first respondent police.

2. Heard Mr.T.Sundaravadanam, learned counsel for petitioner and Mr.K.S.Mohandoss, learned Public Prosecutor [Puducherry] appearing for first respondent.

3. The second respondent gave a complaint to the effect that the petitioner attempted to burn an effigy of a leader of a political party and made some defamatory remarks against her Excellency the Governor of Puducherry. Based on the same, a First Information Report came to be registered by the first respondent in Crime No.102 of 2022 for offence u/s.285 IPC.

4. In the considered view of this Court, the issue involved in this case is squarely covered by the earlier order passed by this Court in Crl.O.P.No.19600 of 2019, dated 24.07.2019. That apart, the offence u/s.285 IPC is punishable with maximum imprisonment of six months.

Hence, the investigation must be completed and final report must be filed



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within a period of one year failing which the final report cannot be taken cognizance in view of the bar u/s.468 Cr.P.C. Even if the final report is filed, no useful purpose will be served in this case.

In the light of the above discussion, this Criminal Original Petition is allowed and the proceedings in Crime No.102 of 2022 on the file of the first respondent police, is hereby 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,
Villianur Police Station,
Villianur, Puducherry – 605 110.

2. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J.

gm

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