



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. Nos.2590 & 3677 of 2024
and Crl.M.P. Nos.1886, 1887, 2705 & 2706 of 2024

1.Aathimoolam

2.Sennakesavan

3.Kaliyappan

4.Selvam

5.Rangeeshkumar

...Petitioners
in Crl.O.P.No.2590 of 2024

S.Rajanikanth

...Petitioner
in Crl.O.P.No.3677 of 2024

Vs

1.The State Rep. by
Inspector of Police,
Kadathur Police Station,
Dharumapuri District.

2.Mr.M.Ravichandran

... Respondent
in both Crl.O.Ps



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PRAYER in CrI.O.P.No.2590 of 2024 : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in CC.No.5 of 2016 on the file of the Judicial Magistrate Court, Pappireddipatti and to quash the same.

PRAYER in CrI.O.P.No.3677 of 2024 : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records in CC.No.5 of 2016 on the file of the Judicial Magistrate Court, Pappireddipatti and to quash the same.

For Petitioners : Mr.R.Thirumoorthy

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

COMMON ORDER

These criminal original petitions have been filed to quash the proceedings in C.C.No.5 of 2016 pending on the file of the learned Judicial Magistrate Court, Pappireddipetti.

2.Heard the learned counsel for the petitioners and the learned counsel appearing on behalf of the 1st respondent.



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3.The case of the prosecution is that the accused persons formed an unlawful assembly and traveled in two cars and they started affixing posters in the compound wall in order to gather votes for a particular political party. According to the complaint, the posters will incite communal violence considering the place in which it was affixed. This was done in spite of the accused persons being prevented by the concerned officers. A complaint was given in this regard by the 2nd respondent and an FIR came to be registered in Crime No.86 of 2014. On completion of the investigation, final report has been filed and the same is pending before the Court below in C.C.Nos. 5 of 2016.

4.These quash petitions have been filed by A1, A3 to A7.

5.In the considered view of this Court, the entire incident had taken place during the election in the year 2014. No useful purpose will be served in proceeding further with the trial in this case. That apart, even if the allegations are taken as it is, majority of the offences are not made out.



6. In the light of the above, the proceedings in CC.No.5 of 2016, pending on the file of the learned Judicial Magistrate Court, Pappireddipetti, is hereby quashed in its entirety.

7. In the result, these criminal original petitions stands allowed. Consequently, connected miscellaneous petitions are closed.

16.02.2024

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
ssr



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- 1.The Judicial Magistrate Court, Pappireddipatti.
- 2.The Inspector of Police,
Kadathur Police Station,
Dharumapuri District.
- 3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSI

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