



WEB COPY



Crl.O.P.No.16581 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:15.07.2024

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.No.16581 of 2024

1.S.Anandaraj
2.R.Venkatesan
3.R.Ranjith Kumar

.. Petitioners

/versus/

1.State represented by
Inspector of Police,
V.Kalathur Police Station,
Perambalur District.

.. Respondent/
Complainant

2.Jayapal

.. Respondent/Defacto
Complainant

Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records in Crime No.125 of 2022 on the file of the 1st Respondent and quash the same.

For Petitioners :Mr.M.Ramamoorthy for
Mr.B.Ramprabu
For R1 :Mr.S.Udaya Kumar
Govt.ADvocate (Crl.Side)

ORDER



Crl.O.P.No.16581 of 2024

WEB COPY

For affixing poster to take action against the member of the Parliament, who made some derogative statements among the Hindu Community, the petitioners have been booked under Section 4A(1a) of the Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959

2. The learned counsel appearing for the petitioners submitted that the police has registered the case against the persons, who affixed poster to take action against the erred member of the Parliament, who makes derogative marks against the Hindu religion and trying to incite the communal disturbance. Further, after registration of the complaint on 29.09.2022, till date they have not filed final report.

3. The learned Government Advocate (Crl.Side) appearing for the State submitted that on completion of investigation, final report has been filed on 15.12.2022 and the same was returned for rectification of defects, but the same has not been represented till date. The offence for which the petitioners have been booked is punishable for maximum period of 3 months or with fine. The limitation to take cognizance is one year as per Section 468 of C.P.C. Since cognizance of the offence has not



Crl.O.P.No.16581 of 2024

been taken by the Judicial Magistrate in this case till date, the Criminal Original Petition to quash is allowed and the FIR in Crime No.125 of 2022 on the file of the 1st respondent police is hereby quashed.

15.07.2024

Index:yes/no

Neutral Citation:yes/no

ari

To:

1.The Inspector of Police, V.Kalathur Police Station,
Perambalur District.

2.The Public Prosecutor, High Court, Madras.

DR.G.JAYACHANDRAN,J.



WEB COPY



CrI.O.P.No.16581 of 2024

ari

CrI.O.P.No.16581 of 2024

15.07.2024