



Crl.O.P.(MD)No.7855 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:29.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

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1. Jamesh @ Jamesh Francis
- 2.Jenise @ Jenish Kumar
- 3.Suthakar
- 4.Esakkidurai @ Esakkimuthu
- 5.Mukesh
- 6.Kumar
- 7.Karthick @ Karthickraja
- 8.Suthakar
- 9.Magesh
- 10.Murugan
- 11.Mani
- 12.Selvakumar
- 13.Muppidathi



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14.Murugesh

15.Sasikumar

16.Krishnamoorthi

17.Ganesan

18.Muthukani

19.Kumar

20.Ananth

21.Madasamy @ Periya Plashar

22.Murugammal

23.Manojkumar

24Esakkimuthu @ Manjakannan

25.Selvaraj @ Selvam

... Petitioner/Accused No.1 to 25

Vs.

1.The Inspector of Police,
Alangulam Police Station,
Alangulam,
Tenkasi District.
(Crime No.634 of 2021).

...1st Respondent/Complainant

2. Selvaraj

...2nd Respondent/Defacto
Complainant



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Prayer: The Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in connection with Crime No.634 of 2021 on the file of the Inspector of Police, Alangulam Police Station, Alangulam, Tenkasi District and subsequently quash the same as against the petitioners.

For Petitioner	: Mr.Palani Velayutham.S
For R1	: Mr.B.Nambiselvan, Additional Public Prosecutor
For R2	: No appearance

ORDER

This Criminal Original Petition has been filed, seeking quashment of the FIR in Crime No.634 of 2021 on the file of the first respondent Police as against the petitioners.

2. **The facts in brief:** The defacto complainant is working as a Teacher and he was nominated as Election Officer at Alangulam Panchayat Union. On 06.10.2021, he was in-charge of his duty in the Panchayat election. At end of the day, 250 unknown persons contrary to the election rules assembled at Naranapuram booth and prevented the



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Election Officer from doing their election duty and abused the people, who are in the election booth using filthy language and they made obstacles in shifting the vote box from the election booth to some other place. They also threatened and intimidated the other people, who are in-charge of the election booth. Hence, the second respondent made a complaint before the first respondent, in pursuant to which, a case in Crime No.634 of 2021 has been registered against the petitioners, challenging the same, the present petition has been filed.

3. The learned counsel for the petitioner referred a judgment passed by this Court in respect of similar offences, in which, the complainant appeared before this Court and hence, this Court passed an order by quashing the First Information Report registered against the petitioner in that petition. But in the present case, the defacto complainant is not appeared before this Court.

4. The learned Additional Public Prosecutor would submit that if the defacto complainant is come forward not to proceed the case further,



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the case will be referred as action dropped.

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5. Recording the submissions made by the learned Additional Public Prosecutor, if the defacto complainant is come forward not to proceed the case further, the first respondent is directed to refer the case in Crime No.634 of 2021 as further action dropped, within a period of four weeks from the date of receipt of copy of this order.

6. With the above said direction, this Criminal Original Petition is disposed of.

29.02.2024

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

Indu



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M.DHANDAPANI,J.

Indu

To:

- 1.The Inspector of Police,
Alangulam Police Station,
Alangulam,
Tenkasi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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