



Crl.O.P.No. 11156 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.11156 of 2025

and

Crl.M.P.Nos.7452 & 7455 of 2025

Matheswaran

..... Petitioner

Vs

1.The state rep by
The Inspector of Police,
Rasipuram Police Station,
Namakkal District,
Crime No.08 of 2025

2.TR.Ganesan
The Commissioner,
Rasipuram Municipality,
Namakkal District.

..... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for records C.C.No.65 of 2025 on the file of Judicial Magistrate Court, Rasipuram and to quash the same

For Petitioner : Mr.R.Thirumoorthy

For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.65 of 2025 pending on the file of the Judicial Magistrate, Rasipuram, thereby taken cognizance for the offences punishable under Sections 351(2), 132 of the Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that the defacto complainant, who is serving as the Commissioner of Rasipuram Municipality, lodged a complaint alleging that the petitioner, the owner of a fruit shop at the New Bus Stand, Rasipuram, approached the Commissioner's Office and while inquiring about certain information, used defamatory language against the accountant and manager. Further, the officials informed the petitioner that the information sought by him through a letter dated 31.12.2024 would be provided after the Commissioner reviewed the matter and that a reply would be issued by the accountant. However, the petitioner reacted in a furious manner, used filthy language and threatened the officials. Hence, the complaint.



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3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent. Perused the materials available on record.

4. It is seen that the petitioner made an application under the Right to Information Act, 2005 raising queries regarding certain alleged irregularities. While being so, on 20.11.2024, when the petitioner sought information pertaining to the allotment of the shops by the municipality and certain official information about the accountant of Rasipuram Municipality. However, no information was furnished to the petitioner. Subsequently, on 04.11.2025, the petitioner approached the officials and questioned about the application submitted by the petitioner seeking information under the Right to Information Act. However, the second respondent refused to answer the petitioner and as such, there was a wordy altercation between them.

5. Pursuant to the same, the second respondent filed a complaint and the petitioner has been charged for the offences under Sections 351(2) and 132 of the Bharatiya Nyaya Sanhita, 2023. All the allegations are civil in nature and arise out of a dispute pertaining to non-



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disclosure of information under the Right to Information Act, 2005.

WEB CO Allowing the criminal proceedings to continue further would amount to abuse of process of law and serve no useful purpose. Therefore, in order to meet the ends of justice, this Court is inclined to interfere and pass appropriate orders.

5. In view of the above, the proceedings in C.C.No.65 of 2025 pending on the file of the Judicial Magistrate, Rasipuram, is hereby quashed. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are closed.

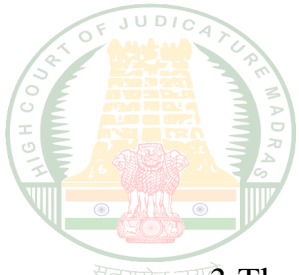
16.04.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp

To

1.The Judicial Magistrate Court,
Rasipuram

2.The Inspector of Police,
Rasipuram Police Station,
Namakkal District



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3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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