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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.12.2025**

CORAM:

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

W.P.(MD)No.12045 of 2015
and
M.P.(MD)No.1 of 2015
and
CrI.R.C.(MD)No.178 of 2015

W.P.(MD)No.12045 of 2015:-

Palanichamy

... Petitioner

Vs.

1.Union of India,
Rep.by its Secretary,
Ministry of Law,
New Delhi-110 001.

2.State of Tamil Nadu,
Rep.by its Secretary,
Home Department,
Fort St.George,
Chennai-600 009.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of declaration, declaring Section 401(3) of the Code of Criminal Procedure, 1973 as ultravirus and unconstitutional.

For Petitioner : Mr.A.Rahul



For Respondents : Mr.K.Gokul (R1)
Mr.D.Sasikumar (R2)
Additional Government Pleader

CrI.R.C.(MD)No.178 of 2015:-

Palanichamy

... Petitioner

Vs.

1.Manavalan
2.Palnivel
3.Ganesan
4.Rajendran
5.Rasu
6.Raja

7.State rep by
The Assistant Superintendent of Police,
Pattukottai,
Thanjavur District,
[In crime No.67/2004]

... Respondents

PRAYER:- Criminal Revision Case filed under Section 372 of the Criminal Procedure Code, to call for the records made in Special S.C.No. 96 of 2007 dated 11.01.2008 passed by the learned I Additional Sessions Judge (Protection of Civil Rights), Thanjavur and set aside the same.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.C.Saravanakumar (R1 to R6)
Mr.K.Gnana Sekaran (R7)
Government Advocate (CrI.side)



COMMON ORDER

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(Order of the Court was made by **DR.G.JAYACHANDRAN, J.**)

The learned counsel for the petitioner in both petitions reports that the petitioner in both the cases expired on 28.01.2020 and nothing survives in both cases.

2.Recording the same, both the Writ Petition and the Criminal Revision Case are dismissed as abated. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[G.J., J.] & [K.K.R.K., J.]
11.12.2025

Index :Yes/No

Internet :Yes

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To

1.The Secretary,
Ministry of Law,
New Delhi-110 001.

2.The Secretary,
Home Department,
Fort St.George,
Chennai-600 009.

3. The Assistant Superintendent of Police,
Pattukottai, Thanjavur District.



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DR.G. JAYACHANDRAN, J.
AND
K.K. RAMAKRISHNAN, J.

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W.P.(MD)No.12045 of 2015
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