



WEB COPY

CRL RC No. 169 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 169 of 2026

Loganathan

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police
Valathy Police Station,
Crime No.186 of 2024.

..Respondent(s)

To allow this Criminal Revision Petition, set aside the order passed in Crl.MP.No.2 of 2025 in CC.No.215 of 2024 by the Learned Judicial Magistrate, Gingee and discharge the petitioner from C.C.No.215 of 2024 on the file of Learned Judicial Magistrate, Gingee.

For Petitioner(s): S.M.Muralidharan

For Respondent(s): Mr.R.Vinothraja
Government Advocate(Criminal Side)

ORDER

The revision challenges the dismissal of the discharge petition filed by the petitioner/A4.



2. It is the case of the prosecution that, on account of prior enmity, the first accused attacked the witnesses with a knife and that the petitioner/A4, along with two others, attacked L.W-3 with a wooden log and thus committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the allegation under the Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959 cannot be sustained, as even according to the prosecution, the banner said to have been erected by the victims were destroyed by the accused, and therefore, the prosecution under the said provision is misconceived and that there is no injuries sustained so as to establish that the witnesses suffered grievous injuries.

4. Heard learned Government Advocate (Crl.Side) and perused the materials available on record.

5. This Court is of the considered view that the offence under Section 4A(1)(a) of the Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959 cannot be sustained as against the petitioner, as there is no allegation that he had committed any offence under the said Act by erecting any banner. However, as regards the offences under Sections 294(b), 323, 324 and 506(ii) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act,



2002, this Court, at this stage, cannot adjudicate the same and it is for the prosecution to establish the same before the trial Court.

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7. With the above observation, the revision is disposed of.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

skr

To

1. Learned Judicial Magistrate, Gingee
2. The Inspector of Police, Valathy Police Station.
3. Learned Public Prosecutor, Madras High Court, Chennai.



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SUNDER MOHAN, J.
skr

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