



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.17739 of 2017

KVN. Vignesh

... Petitioner

-Vs-

1. State represented by

The Sub Inspector of Police,
Chekkanurani Police Station,
Madurai District.

(In Crime No.381 of 2016).

... Respondent/Complainant

2. Chinnaponnu

... Respondent/Defacto
Complainant

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records resulting in the impugned First Information Report in Crime No.381 of 2016 and to quash the same as illegal in respect of the petitioner.

For Petitioner	: Mr.C.Sundaravadivel
For Respondent R-1	: Mr.K.S.Duraipandian, Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed for quashing the First Information Report in Crime No.381 of 2016 on the file of the first respondent police.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

3.It is stated that the petitioner and the defacto complainant are adjacent owners of agricultural lands. Since there is a dispute on account of the protruding drumstick trees into the petitioner's father's land, it is stated that the complaint has been lodged on false averments and the same has been registered for the alleged offences under section 294(b), 323, 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.



4. The learned counsel for the petitioner states that the case was registered on the false complaint before the first respondent and that the petitioner was not in the scene of occurrence and stated further that he has evidence to show that he was attending the tuition class on 05.09.2016, at the time of incident about which this complaint came to be lodged.

5. It is further stated that there was a dispute between the petitioner's father and the second respondent and due to personal animosity, the second respondent has preferred a false complaint against the petitioner and the family members.

6. The complaint disclose cognizable offences. Except denying the allegations in the First Information Report and other factual issues, the learned Counsel for the petitioner is not able to convince this Court, to quash the petition. So, this petition is dismissed. However liberty is given to the petitioner to raise all the grounds available to him and produce materials either at the time of trial or during investigation.

7. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Sub Inspector of Police,
Chekkanurani Police Station,
Madurai District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

PNN/AM

TE/SV-MMS/SAR-3 : 02/02/2018 : 2P/3C

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