

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No. 8898 of 2011

ORDER:

This petition is filed seeking for quash of the proceedings in Crime No.21 of 2011 dated 21.02.2011 on the file of Station House Officer, Salur Police Station, Salur, Vizianagaram District.

2. Heard the counsel for the petitioners and the Public Prosecutor, who took notice for the 2<sup>nd</sup> respondent. The 1<sup>st</sup> respondent has not appeared in spite of notice.

3. The counsel for the petitioners submits that the complainant earlier filed a similar complaint and that the final report was filed, closing the said complaint and that this complaint is nothing but a replica of the earlier complaint.

4. A perusal of the two complaints would show that the dispute relates to the same land in Patta No.466 of Gumadam Village at Salur. The allegations are also one and the same. The action sought for is only for the fabrication of the document. Hence, from the above, it can be understood that this complaint is filed frivolously and that it is vexatious. Permitting to proceed with the same would only result in abuse of process of court, in view of the fact that the earlier complaint was closed.

With the above observations, the Criminal Petition is allowed and the further proceedings in Crime No.21 of 2011, dated 21.02.2011, on the file of Station House Officer,

Salur Police Station, Salur, Vizianagaram District, are hereby quashed.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

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T. RAJANI, J

November 9, 2017  
LMV

