



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl OP(MD)No.6630 of 2015

and

MP(MD)Nos.1 & 2 of 2015

WEB COPY

Natarajan

... Petitioner Accused

Vs.

1.The Inspector of Police,
Pasupathipalayam Police Station,
Karur District.
(in Cr.No.322 of 2014)

...1st respondent/complainant

2.Palanisamy

...2nd respondent/defacto complainant

Prayer : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to quash the charge sheet in C.C No.41 of 2015 on the file of the learned Judicial Magistrate No.I, Karur.

For Petitioner : Mr.N.Anandakumar

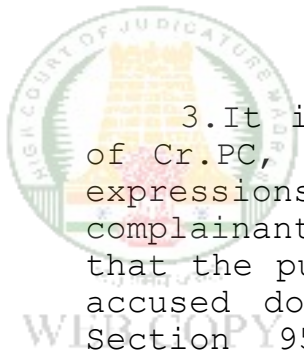
For Respondents : Mr.A.Robinson,
Government Advocate (Crl.side) for R1

: Mr.B.Anandan for R2

ORDER

The petitioner is a practicing lawyer. He is facing trial in C.C No.41 of 2015 on the file of the Judicial Magistrate No.I, Karur. The second respondent is the defacto complainant. It appears that the second respondent had already given a criminal case against the petitioner and others. According to the defacto complainant, on 21.05.2014 when he and others were taking tea outside the collectorate, the petitioner and two others came to the spot and abused them in filthy language and threatened that the should withdraw the case earlier given against them. Therefore, the second respondent lodged information before the Pasupathipalayam Police Station leading to the registration of Crime No.322 of 2014. Investigation was taken up and final report was filed against the petitioner and two others for the offences under Sections 294(b) and 506(i) IPC. To quash the same, Al/the petitioner alone has filed this petition.

2.Heard the learned counsel on either side.



3.It is true that in the statement recorded under Section 161 of Cr.PC, the second respondent had narrated the offensive abusive expressions employed by the accused. But then, the defacto complainant did not suffer any injury. There is nothing to show that the public were put to annoyance. The threat held out by the accused does not appear to be a real one. Therefore, invoking Section 95 of Cr.PC, I am inclined to quash the impugned proceedings. Accordingly, the impugned proceedings stand quashed. The benefit of this order will enure not only in favour of the petitioner herein but also the other two accused also. This criminal original petition is allowed. Consequently, connected miscellaneous petitions stand closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS)

Skm

To

1.The Judicial Magistrate No.I, Karur.

2.The Inspector of Police,
Pasupathipalayam Police Station,
Karur District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.B. ANANDAN, Advocate SR-90957.

+1 CC to M/s.N. ANANDA KUMAR, Advocate SR-90985.

Cr1 OP(MD)No.6630 of 2015

and

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