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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22/12/2021

C O R A M

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.27557 OF 2017

AND

CRL.M.P.NOS.15739 AND 15740 OF 2017

G.Gokul

... Petitioner

.Vs.

1. The State,
Rep. By The Inspector of Police,
Mailam Police Station,
Villupuram District.
(Crime No.285 of 2017)

... 1st Respondent/Complainant

2. Lakshmi

... 2nd Respondent/Defacto
Complainant

PRAYER:-

Criminal Original Petition filed under Section 482 Cr.P.C.,
to call for the records relating to C.C.No.121 of 2017 on the
file of the Judicial Magistrate No.II, Tindivanam, Villupuram
District and quash the same.

For Petitioner : Mr.G.Mohana Krishnan

For Respondents : Mr.S.Vinoth Kumar
Government Advocate
(Criminal Side) for R1

Mr.C.D.Modhi for R2

O R D E R

This Criminal Original Petition has been filed to quash the
proceedings in C.C.No.121 of 2017 on the file of the Judicial
Magistrate No.II, Tindivanam, Villupuram District.

2. The case of the prosecution is that on 5/5/2017, around 5
p.m., when the defacto complainant/second petitioner rearing a



cow in the Casuarina grove of the petitioner, she was threatened with dire consequences. Hence a complaint was registered in Crime No.285 of 2017, punishable under Sections 294 (b), 323, 354 and 506 (ii) of the Indian Penal Code.

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3. The learned counsel appearing for the petitioner submitted that the occurrence took place on 5/5/2017 but the complaint was given on 14/5/2017. There was an enormous delay in lodging a complaint by the defacto complainant/second respondent. He further submitted that this case is nothing but falsely foisted and therefore, prays for quashment of C.C.No.121 of 2017.

4. The learned Government Advocate (Criminal Side) for the first respondent submitted that counter case is also pending in C.C.No.133 of 2017. Final report has been filed by the Investigation Officer in both the cases, viz., C.C.Nos.121 and 133 of 2017.

5. After hearing the submission of the learned Government Advocate (Criminal Side), this Court is not inclined to entertain this instant Criminal Original Petition.

6. In the result, this Criminal Original Petition is dismissed. Trial Court is directed to decide both the cases, viz., C.C.Nos.121 and 133 of 2017, simultaneously and dispose of the cases, as per law. Consequently, the connected Criminal Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

mvs

To

1. The Judicial Magistrate No.II,
Tindivanam,
Villupuram District.
2. The Inspector of Police
Mailam Police Station
Villupuram District.



3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.G.Mohana Krishnan, Advocate, S.R.No.69001

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SSD(CO)
PBS/21/01/2022