



CRL.O.P.No.4661 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.4661 of 2016

and

CrI.M.P.No.2452 of 2016

T.R.Silambarasan @ STR

... Petitioner/A-1

Versus

P.Ilangovan

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in C.C.No.20 of 2016 pending on the file of the Judicial Magistrate No.2, Coimbatore and quash the same.

For Petitioner : Mr.T.Thiageswaran

For Respondent : No appearance

ORDER

This petition has been filed to call for the records in C.C.No.20 of 2016 pending on the file of the Judicial Magistrate No.2, Coimbatore and quash the same.

2. The petitioner, who arrayed as accused No.1 in C.C.No.20 of 2016 on the private complaint filed by the respondent for the offence under Section 292



I.P.C. and Section 67 of Information Technology Act, 2000, which is pending before the learned Judicial Magistrate No.2, Coimbatore, has filed this quash petition.

3. The learned counsel for the petitioner submitted that for the similar offence, a case in Crime No.519 of 2015 was filed by the Cyber Crime Branch (CCB), Egmore, Chennai and after investigation final report filed as “Further action dropped”. Earlier, the petitioner had filed CrI.O.P.No.778 of 2016 before this Court seeking to quash the proceedings in Crime No.519 of 2015. This Court, by order dated 24.02.2022, closed the petition stating that in view of the dropping of further action in Cr.No.519 of 2015, nothing survives in CrI.O.P.No.778 of 2016. The present petition is filed seeking to quash the proceedings in C.C.No.20 of 2016. In this case, the trial Court, by order dated 30.04.2019, finding that the respondent/complainant had not appeared before the trial Court, no steps taken on the side of the complainant to proceed with the case and for the past 3 years the case has been kept pending without any progress, had dismissed the complaint under Section 256 of Cr.P.C. Hence, nothing survives for adjudication in the present petition. The order and proceedings of the trial court produced.



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4. Recording the same, this Criminal Original Petition is disposed of.
Consequently, connected miscellaneous petition is closed.

13.10.2022

Index: Yes/No
rsi

To

1.The Judicial Magistrate No.2,
Coimbatore.

2.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

rsi

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