



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19/1/2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No. 29084 of 2017

a n d

Crl.M.P.Nos.16425 and 16426 of 2017

Joe Michael Praveen

... Petitioner

Vs

1. State

rep. By The Inspector of Police
Neelankarai Police Station
Neelankarai
Chennai 600 041.(CR No.1993/17)

2. Apsara Reddy

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records in C.C.No.848 of 2017, on the file of the Judicial Magistrate, Alandur and quash the same.

For Petitioner ... Mr.J.I.Rajkumar Roberts

For Respondents ... Mr.R.Kishore Kumar
Government Advocate
(Criminal Side) for R.1.
Mr.Saurabh Mishra
for R.2.

O R D E R

This Criminal Original Petition has been filed to quash C.C.No.848 of 2017, on the file of the Judicial Magistrate, Alandur, for the offences punishable under Sections 294 (b) and 506 (i) of the Indian Penal Code .

2. The crux of the allegation in the final report is that the accused had made repeated threat that he will pour acid and will also release the compromising videos of the defacto complainant in the social media.

3. The learned counsel appearing for the petitioner submitted that the petitioner is running an Event Management and



the defacto complainant wanted to be a partner which was not agreed by the petitioner. Therefore, complaint has been lodged. He further submitted that motive for initiation of prosecution is only the business transaction and there are no materials to continue the prosecution.

4. Heard the learned counsel appearing on either side and perused the materials available on record.

5. On a perusal of the materials, the allegation unearthed by the prosecution indicate that there is allegedly repeated threat made to the defacto complainant. When the serious allegations unearthed in the investigation, this Court, cannot assume the role of the trial Court to find out whether there is any motive or not. When the accusation is serious, the petitioner has to meet the same before the trial Court. In such a view of the matter, I do not find any merits to quash the proceedings.

6. In the result, this Criminal Original Petition is dismissed. Trial Court shall decide the case on its own merits without being influenced by any of the observations advanced in this Criminal Original Petition. Consequently, the connected Criminal Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

mvs.

To

1. The Judicial Magistrate, Alandur

2. The Inspector of Police
Neelankarai Police Station
Neelankarai, Chennai 600 041.

3. The Public Prosecutor
Madras High Court, Madras.

+3ccs to Mr.J.I.Rajkumar Roberts, Advocate SR.No.3227

Cr1. O.P. No.29084 of 2017

KSM(CO)

GMV(08/02/2022)