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Crl.O.P.No.3936 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2023

CORAM

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

Crl.O.P.No.3936 of 2022
and Crl.M.P.No.1902 of 2022

K.Kumravel

... Petitioner

Vs

1.The Sub Divisional Magistrate cum
Revenue Divisional Office,
Maduranthagam, Chengalpet District.

2.The State rep by
The Inspector of Police,
G7 Achirupakkam Police Station,
Chengalpet District.
(Crime No.463 of 2021)

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in Na.Ka.No.3631/2021/B/dated 08.02.2022 on the file of the first respondent and quash the proceedings.

For Petitioner : Mr.S.N.Thangaraj for
Mr.R.Sreerangan

For Respondents : Mr.L.Baskaran
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed to call for the records in Na.Ka.No.3631/2021/B/dated 08.02.2022 on the file of the first respondent and quash the proceedings.

2.It is submitted by the learned counsel for the petitioner that both the accused and the defacto complainant are close relatives and living in the same Village and hence, there is no necessity to initiate any proceedings further. It is further submitted that Section 110 of Cr.P.C can only be invoked or shall only be invoked against the habitual offenders and the petitioner has only one previous case and that too registered during the local election. It is also submitted by the learned counsel for the petitioner that the proceedings in Na.Ka.No.303/2022 dated 07.02.2022 initiated against the petitioner under Section 107 Cr.P.C., has already been quashed by this Court on 14.11.2022 in Crl.O.P.No.3937 of 2022. Hence, the impugned order is illegal and without application of mind and he prays to quash the proceedings.

3.Heard the learned counsel for the petitioner and the learned



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Government Advocate (crl.side) and perused the order of this Court dated 14.11.2022 in Crl.O.P.No.3937 of 2022.

4.Considering the submissions made by the learned counsel for the petitioner and on perusal of the order of this Court dated 14.11.2022 in Crl.O.P.No.3937 of 2022, the proceedings in Na.Ka.No.3631/2021/B, dated 08.02.2022, is quashed. Accordingly, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

19.12.2023

Internet:Yes
Index:Yes/No
vkr

To

- 1.The Sub Divisional Magistrate cum
Revenue Divisional Office,
Maduranthagam, Chengalpet District.
- 2.The State rep by
The Inspector of Police,
G7 Achirupakkam Police Station,
Chengalpet District.
3. The Public Prosecutor, High Court, Madras.

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VIVEK KUMAR SINGH.J.,

vkrr

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and Crl.M.P.No.1902 of 2022

19.12.2023