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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.22200 of 2018
and
Crl.M.P.Nos.12257 and 12258 of 2018

Y.J.Lingan ... Petitioner

Vs.

S.Ravi Kumar ... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for records pertaining to the complaint in STC.No.725 of 2018 on the file of the Judicial Magistrate, Coonoor, Nilgiris and quash the same.

For Petitioner : No Appearance

For Respondent : Mr.K.V.Sanjeev Kumar

ORDER

This Criminal Original Petition has been filed to quash the proceedings in STC.No.725 of 2018 on the file of the Judicial Magistrate, Coonoor, Nilgiris.

2. There is no representation on behalf of the petitioner. Heard the learned counsel for the respondent.

3. The respondent filed a complaint as he has been fighting against

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corruption in the judiciary and that on his reputation several action have been taken against erring and corrupt judicial officers during the past. The respondent filed two suits against the petitioner seeking injunction and for easementary rights and he is enjoying the benefit of interim injunction. It is further alleged that on 10.08.2015, the petitioner had given a false petition containing defamatory statement against the respondent to the Superintendent of Police, Nilgiris, the Chairman, Human Rights Commission, the Chief Justice of this Court and the Chairman, Bar Council of Tamil Nadu. After enquiry, the said complaint was closed. The allegation in the complaint undermined the reputation of the respondent. Therefore, it attracts the offences under Sections 499 and 500 of IPC.

4. It is seen that now, the respondent died. That apart, even according to the respondent, the petitioner lodged a complaint before all the authorities concerned with specific allegations and after enquiry of the same, it was closed. It does not mean that the petitioner made defamatory statements as against the respondent. That apart, both are Advocates and as such, in order meet the ends of justice, the impugned proceedings cannot be sustained as against the petitioner and it is liable to be quashed.

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5. Accordingly, the proceedings in STC.No.725 of 2018 on the file of the Judicial Magistrate, Coonoor, Nilgiris, is hereby quashed. This Criminal Original Petition stands allowed. Consequently, connected Miscellaneous petitions are closed.

01.12.2023

Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
mn

To

The Judicial Magistrate,
Coonoor, Nilgiris

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G.K.ILANTHIRAIYAN, J.
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