



WEB COPY



Crl.O.P No.23447 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.23447 of 2022
and Crl.M.P.No.14960 of 2022

Joshua Deepak David

Petitioner

Vs.

Koilraj

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and proceedings in C.C.No.4709 of 2013 pending on the file of the XXIII Metropolitan Magistrate Court, Saidapet, Chennai – 15.

For Petitioner : Ms.D.Malarvizhi

For Respondent : Mr.V.M.Karikalan

ORDER

This petition has been filed to quash the proceedings in C.C.No.4709 of 2013, pending on the file of the learned XXIII Metropolitan Magistrate Court, Saidapet, Chennai – 15.



CrI.O.P No.23447 of 2022

2. The respondent has filed a private complaint before the Court below against 11 accused persons on the ground of defamation punishable under Section 500 I.P.C., The petitioner has been arrayed as A9 in the complaint.

3. Heard Ms.D.Malarvizhi, learned counsel for the petitioner and Mr.V.M.Karikalan, learned counsel for the respondent.

4. The case of the respondent is that the office bearers of the Pastorate Committee of CSI Christ Church, Virugambakkam, Chennai issued a pamphlet and CD containing false defamatory allegations against the respondent, thereby the respondent claimed that his status has been severely affected. In view of the same, a private complainant came to be filed before the Court below.

5. This Court has carefully gone through the complaint and it is seen that there is not even a scrap of allegation made against the petitioner who has been arrayed as A9 in the complaint. The respondent has made general allegations in the complaint, without specifically stating anything against the petitioner. The offence of defamation is not made out against the



Crl.O.P No.23447 of 2022

petitioner and the continuation of the proceedings against the petitioner will only result in abuse of process of Court.

6. In the light of the above discussions, the proceedings in C.C.No.4709 of 2013 on the file of the XXIII Metropolitan Magistrate, Saidapet is hereby quashed insofar as the petitioner is concerned. This Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

10.07.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
vum

To

The XXIII Metropolitan Magistrate Court,
Saidapet, Chennai – 15



WEB COPY



Crl.O.P No.23447 of 2022

N. ANAND VENKATESH, J.

vum

Crl.O.P No.23447 of 2022
and Crl.M.P.No.14960 of 2022

10.07.2023