



Cr.L.O.P.No.28609 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.12.2023

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Cr.L.O.P.No.28609 of 2023

S.Rabi Jayakumar. ... Petitioner/Accused

/versus/

1. The State by Sub Inspector of Police,
Thirumullaivoyal Police Station,
Thirumullaivoyal, Chennai – 600 062. ... Respondent/Complainant

2. Minnalkodi. ... Respondent/defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., pleaded to call for the records relating to the F.I.R in crime No.381 of 2023, on the file of the 1st respondent herein.

For Petitioner : Ms.S.Vardhini

For R1 : Mr.Leonard Arul Joseph Selvam.
Government Advocate (Crl.Side)



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ORDER

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This Criminal Original Petition is filed to quash the F.I.R in Crime No.381 of 2023. Despite the petitioner who is an Advocate by Profession, it is alleged that, the petitioner has been maliciously roped in the complaint, because he had rendered Legal Assistance to the 1st accused by name S.Manivasagam.

2. The complaint is one by Minnalkodi, wife of Manivasagam. However, the Learned Counsel for the petitioner dispute the very fact of the marriage between the defacto complainant and Manivasagam. It is stated that, she has also filed injunction suit. Being a Counsel for the said Manivasagam, the complaint been filed.

3. The Learned Government Advocate (Crl.Side) for the 1st respondent submitted that case of criminal trespass, land grabbing, criminal intimidation and Tamil Nadu Prohibition of Women Harassment Act been registered. The case is under investigation. Since there is *prima facie* material is available against this petitioner, case is registered against him and investigation is in progress.



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4. Further, the Learned Government Advocate (CrI.Side) for the 1st

respondent submits that it is not malicious complaint. From the investigation, so far conducted, it does not appear to be malicious complaint.

5. Since the investigation is in progress and only on completion of investigation, the entire facts leading to the complaint will come to light. It is premature to decide about the guilty or innocent of the petitioner herein. Hence, the ***Criminal Original Petition is dismissed.***

22.12.2023

Index :Yes/No.
Internet :Yes/No.
Speaking Order/Non-Speaking Order
bsm

Copy to:-

1. The Sub Inspector of Police,
Thirumullaivoyal Police Station,
Thirumullaivoyal, Chennai – 600 062.

2. The Public Prosecutor, High Court, Madras.

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DR.G.JAYACHANDRAN, J.

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