



Crl.O.P.No.8531 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8531 of 2024
& Crl.M.P.No.6218 of 2024

G.Dhanraj.

... Petitioner/Accused No.1
/versus/

1. The State, Rep. by
The Inspector of Police,
Mecheri Police Station,
Salem.
(Crime No.401 of 2023)

... 1st respondent/Complainant

2. Mani

... 2nd Respondent/Defacto complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records and quash the proceedings in Crime No.401 of 2023 on the file of 1st respondent.

For Petitioner : Ms.V.V.Sathya

For R1 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)



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ORDER

This Criminal Original petition is filed to quash the complaint in Crime No.401 of 2023 alleging that for an alleged incident took place on 13.07.2023, the complaint was lodged only on 19.07.2023 with all embellishment and also contended that the complaint is false and frivolous complaint in order to give a criminal colour for a civil dispute.

2. The Learned Government Advocate (Crl.Side) appearing for the 1st respondent states that the defacto complainant had sustained injury and was hospitalized for 6 days, that is the reason for the delay in giving the complaint. Further, submit that the investigation been completed and final report likely to be filed within a period of two weeks. From the investigation, it reveals that due to property dispute, the petitioner and others had attacked the defacto complainant with weapon, causing injury and also damaged his field. Hence, case has been registered and investigated for the offences under Section 447, 427, 294(b) 323, 324, 506(ii) of I.P.C.

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3. On perusal of the CD file, this Court finds that there is a *prima facie* material to proceed with the investigation and it is not purely a civil dispute as contended by the Learned Counsel.

4. Hence, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

08.04.2024

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

Copy to:

1. The Inspector of Police, Mecheri Police Station, Salem.
2. The Public Prosecutor, High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

bsm

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