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Crl.OP.No.22280 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Criminal Original Petition No.22280 of 2024
and Crl MP Nos.12703 & 12705 of 2024

M.Boominathan

... Petitioner

Vs.

1. The State Rep. by,
Inspector of Police,
W1 All Women Police Station,
Thousand Lights Chennai.
(Ref Crime No.9/2019 dated 28.08.2023)

2. S.Sai Lakshmi

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, praying to call for the records and quash the proceedings pending in SC No.295 of 2022 on the file of Court of the Sessions Judge (Magalir Neethimandram), Chennai for an offence under Section 417, 376, 406, 420, 506(ii), 294(b), 109 IPC.



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For Petitioner : Mr.M.Sathish Kumar

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl. Side)

Mr.U.Ramya, for R2

ORDER

The learned counsel appearing for the second respondent states that the earlier petition filed by this petitioner was dismissed on 16.11.2023 suppressing the said fact, the present petition is filed. Therefore, on the said ground itself, this petition for quash has to be dismissed, apart from the merits.

2. The learned Government Advocate (Crl. Side) appearing for the first respondent submits that the earlier Criminal OP No.27311 of 2022 to quash was filed by A1 and A2, wherein this Court considered the relationship of A1 and A2 and specific overt acts against A1 and dismissed the quash petition.



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3. The counsel appearing for the petitioner states that the overt act against the petitioner is threatening the Defacto Complainant over phone and insulting the modesty of the Defacto Complainant.

4. This Court finds that the suppression of the earlier criminal OP petition filed is a clear abuse of the process. Hence, the petition filed for quash stands dismissed on the singular ground of suppression of fact. Consequently, the connected miscellaneous petitions are closed.

18.10.2024

Index: Yes/No
Internet: Yes/No
jv

To

1. The Sessions Judge (Magalir Neethimandram),
Chennai.
2. The Inspector of Police,
W1 All Women Police Station,
Thousand Lights Chennai.
2. The Public Prosecutor,
Madras High Court,
Chennai 600 104.



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Dr.G.JAYACHANDRAN,J.

jv

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