



Crl.O.P.No.21397 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2024

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.21397 of 2022

and

Crl.M.P.Nos.13923 and 13924 of 2022

1.Karthick
2.Baskar
3.Lenin
4.Ravi
5.Karthikeyan

... Petitioners

Vs.

1. The State rep.by its
The Inspector of Police,
K5 Peravallur Police Station,
Chennai,
Crime No.99 of 2022.

2. Lokeshkumar

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to call for the records relating the C.C.No.5723 of 2022 in Crime Number 99 of 2022 on the file of the XIII Metropolitan Magistrate, Egmore, Chennai and quash the same.



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For Petitioners : Ms.L.Srileka
For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side) - R1

ORDER

The petitioner has filed this Criminal Original petitions to quash the proceedings in C.C.No.5723 of 2022 in Crime No.99 of 2022 on the file of the XIII Metropolitan Magistrate, Egmore, Chennai.

2. Based on the complainant given by the second respondent, the respondent police have filed an FIR in Crime No. 99 of 2022 against the petitioners, after investigation final report was filed in C.C No. 5723 of 2022 for the offences under Sections 147, 294(b), 324, 506(ii) of IPC before the Metropolitan Magistrate - XIII, Egmore, Chennai. Challenging the same the petitioners have filed this petition to quash the proceedings against them.

3. The case of the prosecution is that there was quarrel erupted between the accused persons and the defacto complainant during the local body election. Hence, the complaint.



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4. On perusal of the records, the allegation against the petitioners is that, on the date of alleged occurrence they were canvassing for the counselor election, during that time there was a wordy quarrel between the accused persons/petitioners and the defacto complainant but there is no evidence on the side of the prosecution to show that these petitioners were threatened the defacto complainant with dishonest intention on the date of alleged occurrence and also there is no specific overt act against the petitioners as per the final report for the alleged offence. Hence, this Court is inclined to quash the proceedings against the petitioners in C.C.No.5723 of 2022, on the file of the XIII Metropolitan Magistrate, Egmore, Chennai.

5. Accordingly, this Criminal Original petition is allowed.
Consequently, the connected miscellaneous petitions are closed.

06.03.2024

Speaking Order/ Non Speaking Order
Index: Yes/ No
Neutral Citation: Yes/No
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T.V.THAMILSELVI, J.

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To.

- 1.The XIII Metropolitan Magistrate,
Egmore, Chennai.
- 2.The Inspector of Police,
K5 Peravallur Police Station,
Chennai.
3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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