



CrI.O.P.No.32662 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2024

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRL.O.P.No.32662 of 2022

and

CRL.M.P.No.20157 of 2022

R.Uvakumar,
S/o.T.G.Rajan

... Petitioner

Vs.

1.The State represented by,
The Inspector of Police,
Vellavedu Police Station,
Tiruvallur District.
(Crime No.678 of 2021)

2.Suresh,
S/o.Raghavan

... Respondents

PRAYER : This Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, to call for the records relating to Crime No.678 of 2021 on the file of the 1st respondent and quash the same with regard to the petitioner.

1/5



CrI.O.P.No.32662 of 2022

For Petitioner : Mr.M.Rajkumar
for M/s.T.Muruganantham

For R1 : Mr.S.Vinoth Kumar
Government Advocate (CrI.Side)

For R2 : Mr.S.Leelesh Sundaram
for M/s.Nathan and Associates

ORDER

This Criminal Original Petition has been filed seeking to quash the F.I.R in Crime No.678 of 2021 on the file of the 1st respondent.

2. Heard both sides.

3. The petitioner is ranked as A4 in the F.I.R. in Crime No.678 of 2021 registered against the petitioner for the offence under Section 147, 448, 294(b), 323 and 506(1) of I.P.C. Now, the petitioner had filed this petition praying to quash the said F.I.R.

4. The petitioner is the hereditary trustee of Sri Arulmigu Sundararaja Perumal and Thathiriswarar Temple. The case of the prosecution is that the steps taken by the petitioner herein along with the other Accused persons,



CrI.O.P.No.32662 of 2022

who are employees of temple for evicting the de-facto complainant and others, who are enjoying the properties belongs to the Sri Arulmigu Sundararaja Perumal and Thathiriswarar Temple, wherein there was a wordy quarrel arose between them.

5. The learned counsel for the petitioner contended that, in order to evade the eviction proceedings, the de-facto complainant/2nd respondent herein gave the false complaint before the 1st respondent police. Admittedly, the properties are leased out to the de-facto complainant and others belong to Sri Arulmigu Sundararaja Perumal and Thathiriswarar Temple. In respect of eviction, a notice also had been issued on 27.07.2021. Therefore, it is seen that only in order to evade eviction proceedings, the de-facto complainant had made a false complaint against the petitioner herein. Hence, he prayed to quash the F.I.R. initiated against him.

6. Admittedly, it is a clear case of abusing the process of law and only with an intention to harass the petitioner aggrieved with eviction proceedings, the 2nd respondent/de-facto complainant herein gave the



CrI.O.P.No.32662 of 2022

complaint. Hence, I do not find any merit in the F.I.R. initiated against the petitioner and the same is liable to be quashed. Accordingly, the proceeding in First Information Report in Crime No.678 of 2021 is quashed and this Criminal Original Petition stands allowed. Consequently, connected Criminal Miscellaneous Petition is closed.

14.02.2024

Index : Yes / No
Neutral Citation: Yes / No
Speaking/Non-speaking order
mkn2

To

- 1.The Inspector of Police,
Vellavedu Police Station,
Tiruvallur District.
- 2.The Public Prosecutor,
High Court, Madras.



WEB COPY



CrI.O.P.No.32662 of 2022

T.V.THAMILSELVI, J.

mkn2

CRL.O.P.No.32662 of 2022
and
CRL.M.P.No.20157 of 2022

14.02.2024