



WEB COPY



CrI.O.P.(MD)No.2455 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.01.2024**

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

CrI.O.P.(MD) No.2455 of 2022

and

CrI.M.P.(MD).No.1807 of 2022

- 1.Anandharaj @ Anandharaj Elangovan
- 2.Adaikalasamy
- 3.R.Benjamin Jeyaraj
- 4.Thilagar
- 5.Daniel Sundaraj ... Petitioners/Accused Nos.1, 3 to 6

Vs.

- 1.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Gandhi Market, Trichy.
- 2.State represented by
the Inspector of Police,
Palakkarai Police Station,
Trichy District.
(Crime No.29 of 2022)
- 3.Dheiveegam ...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned FIR in Crime No.29 of 2022 on the file of the second respondent Police and quash the same as far as the petitioner is concerned.



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For petitioners : Mr.S.Ramsundarvijayraj
For R-1 & R-2 : Mr.B.Nambiselvan,
Additional Public Prosecutor
For R-3 : No Appearance

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.29 of 2022 on the file of the second respondent Police

2. The case of the prosecution is that on 10.01.2022 at about 07.30 P.M., the third respondent / *defacto* complainant herein, who is a Treasurer of the TELC Church, has been doing accounting works of the above said Church. It is alleged that when the *defacto* complainant was standing out of the above said Church along with the persons viz., Plato and Anamd Millar, at that time, petitioner Nos.1 to 3 have abused the *defacto* complainant and subsequently, all the petitioners threatened him with dire consequences. Due to which, the *defacto* complainant lodged a complaint before the respondent Police and the respondent Police registered a case against the petitioners in Crime No.29 of 2022 for the alleged offences under Sections 147, 294(b) and 506(1) of I.P.C. and Section 3 (1)(s) of the SC/ST (Prevention of Atrocities) Act, 1989.



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3. The learned counsel appearing for the petitioners would submit that this is a case in counter. He would further submit that no specific allegations are made against the petitioners. He would also submit that the petitioners and the third respondent are belonged to the Christian Community, however, the second respondent Police registered the case under the provision of SC/ST Act which is not a sustainable one.

4. Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the respondent Police would submit that after completing the investigation, the offence under Section 3 (1)(s) of the SC/ST (Prevention of Atrocities) Act, 1989 has been deleted vide report dated 28.04.2022.

5. Recording the above said submission, the Criminal Original Petition stands closed. Consequently, the connected miscellaneous petition is closed.

30.01.2024

Index : Yes/No
Internet : Yes/No
TSG



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- 2.The Inspector of Police,
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(Crime No.29 of 2022)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

TSG

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