



CrI.O.P.(MD)No.9922 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 15.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.9922 of 2024

and

CrI.M.P.(MD)No.6763 of 2024

Jeyaraj

... Petitioner

Vs.

Jothi Anand

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the private complaint filed in STC.No.858 of 2022 on the file of the Additional District Munsif cum Judicial Magistrate Court, Sivagiri and to quash the same as illegal.

For Petitioner

: Mr.R.Rajeshkumar

ORDER

This petition has been filed to quash the private complaint filed in STC.No.858 of 2022 on the file of the Additional District Munsif cum Judicial Magistrate Court, Sivagiri.



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WEB COPY 2.The respondent herein lodged a private complaint before the Additional District Munsif cum Judicial Magistrate Court, Sivagiri by alleging that the petitioner herein, who is working as Village Administrative Officer and the Revenue Inspector came to his land and they have stated that the land is promboke and instructed him not to do any agricultural work. When the respondent took videograph in his mobile phone, the petitioner damaged the mobile phone and also attacked the respondent. The said complaint has been taken cognizance by the learned Magistrate in STC.No.858 of 2022. Challenging the same, the petitioner filed the present petition.

3.The learned counsel appearing for the petitioner submits that the petitioner herein is working as a Village Administrative Officer and as per Section 200 Cr.P.C., before taking cognizance of the complaint, the learned Magistrate has not provided any opportunity to the petitioner. Further, he submits that the petitioner has only discharged his duty in removing the encroachment. Accordingly, he prays to quash the impugned proceedings.



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4.This Court is of the view that the petitioner is not having any audience before taking cognizance of the complaint. The petitioner has to workout his remedy by filing a discharge petition before the Court below, if he is having any grounds. This Court finds no reason to quash the impugned proceedings. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

15.07.2024

NCC : Yes/No
Index : Yes/No
Internet:Yes
gns

To

The Additional District Munsif cum Judicial Magistrate Court,
Sivagiri.



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B.PUGALENDHI,J

gns

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