



Crl.O.P.(MD)No.6624 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **30.04.2024**

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD) No.6624 of 2024

and

Crl.M.P(MD).Nos.5039 and 5041 of 2024

R.Kaladevi

... Petitioner

versus

The State of Tamilnadu,
Rep. by the Inspector of Police,
Paramakudi Town Police Station,
Paramakudi,
Ramanathapuram District.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to STC No.250 of 2024 on the file of the learned Judicial Magistrate, Paramakudi and quash the same.

For petitioner : Mr.V.Sukumar

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)

ORDER

The petitioner has filed this petition, seeking to quash the proceedings in STC No.250 of 2024 on the file of the learned Judicial Magistrate, Paramakudi.



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2. The case of the prosecution is that due to previous enmity over the property dispute, on 31.07.2022 at 7.45 hrs., when the defacto complainant and her son Muthuramalingam were talking with one Latha backside of her house, the petitioner trespassed into the house of the defacto complainant, abused her in filthy language, attacked her with hands and also caused injuries. The petitioner has also threatened the defacto complainant with dire consequences.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He further submits that it is purely a property dispute, but, it has been converted into a criminal offence. He further submits that in the alleged occurrence, the defacto complainant has not sustained any injury and there is no material produced before this Court to substantiate the same. He further submits that the defacto complainant, with an intention to grab the property of the petitioner's husband, has lodged this false complaint against the petitioner. Therefore, the proceedings shall be quashed as against the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the first respondent submits that it is a matter for trial and it can be raised before the trial Court.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent.

6. Though the petitioner has raised several grounds, this Court is of the opinion that it can be appreciated only during the trial. Therefore, this Criminal Original Petition is dismissed with liberty to the petitioner to raise all these grounds before the trial Court, during the trial and the learned Judicial Magistrate, Paramakudi, is directed to complete the trial process within a period of six months from the date of receipt a copy of this order. Consequently, the connected miscellaneous petitions are closed.

30.04.2024

Index : Yes/No
Internet : Yes/No
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To

1. The Judicial Magistrate Court,
Paramakudi.
2. The Inspector of Police,
Paramakudi Town Police Station,
Paramakudi,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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