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Crl.RC.No.651 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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Rev.S.Salomon Soundara Dass ... Petitioner

Versus

Vanaja Singh ... Respondent

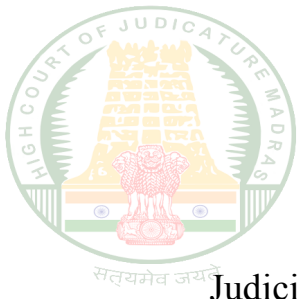
PRAYER: Criminal Revision has been filed under Sections 397 and 401 of the Code of Criminal Procedure praying to set aside the said order dated 21.12.2022 in Crl.MP.No.9346 of 2022 by the learned Judicial Magistrate-I, Tambaram and further direct the learned Magistrate to take the above complaint on file for the offence of defamation and respondent be summoned, tried in accordance with law.

For Petitioner : Mr.P.Premkumar

For Respondent : No appearance

ORDER

This criminal revision has been preferred against the order passed in Crl.MP.No.9346 of 2022 dated 21.12.2022 on the file of the



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Judicial Magistrate-I, Tambaram thereby dismissed the complaint filed by the petitioner for the offence punishable under Sections 499 and 500 of IPC against the respondent.

2. The petitioner is serving as presbyter in-charge and Chairman of St.Mathew's Church. The respondent is a member of the said church. The respondent contested in election of the church and lost in the election, due to which the respondent took revenge and sent defamatory message against petitioner through whats app on 14.05.2022. Therefore, the petitioner lodged private complaint. The trial court conducted enquiry under Section 202 of Cr.P.C. and dismissed the complaint.

3. The learned counsel for the petitioner would submit that on perusal of the defamatory statements made by the respondent through whats app, clearly made out a case for defamation for the offence punishable under Sections 499 and 500 of IPC. The respondent conversed with one, Banial Rajkumar and stated that the petitioner had



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stolen and left the church money. Even then, the trial court failed to take cognizance of the private complaint lodged by the petitioner.

4. Heard, the learned counsel for the petitioner and perused the materials placed on record.

5. On perusal of the records, revealed that the petitioner filed complaint for the offence punishable under Section 499 and 500 of IPC based on the conversation between the respondent and one, Banial Rajkumar through cell phone. The petitioner also sent legal notice to the respondent. On receipt of the same, the respondent issued reply stating that the respondent raised queries with regards to income and expenses of the church and misappropriation of church funds in buying gift articles, used to question about the way of conducting election and also questioned the way of conducting elections and demolition of church buildings without permission and without knowledge of the church members. Therefore, this conversation between two members would not amount to be defamatory one. The said conversation does not attract any defamatory statement in order to attract the offence under Sections 499



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and 500 of IPC. Therefore, the trial court rightly conducted detailed enquiry by examining three witnesses and dismissed the complaint. As such, there is absolutely nothing warranting to interfere with the order passed by the trial court.

6. Accordingly, this criminal revision is dismissed.

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Internet: Yes
Index: Yes/No
Speaking/Non speaking order
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To
The learned Judicial Magistrate-I, Tambaram



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G.K.ILANTHIRAIYAN. J,

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