



Crl. O.P. No. 11943 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 23.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

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1. Prabhu @ Prabakaran
2. Shanmugavel
3. Ravi
4. Kuppusamy
5. Jayakumar
6. Subramani
7. Kathirvel

... Petitioners

Vs

Manimegalai

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to call for the records pertaining to the case in C.C. No. 196 of 2021 on the file of the Judicial Magistrate, Omalur and quash the same.

For Petitioners : Mr. C. Deepak Kumar



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ORDER

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This Criminal Original Petition has been filed to quash the private complaint lodged by the respondent in C.C.No.196 of 2021 on the file of the Judicial Magistrate, Omalur.

2. On perusal of the complaint lodged by the respondent, there are specific allegations as against the petitioners to attract the offences under Sections 147, 148, 294(b), 336, 430 and 506(i) of IPC.

3. Learned counsel for the petitioner would submit that on the alleged date of occurrence i.e., 09.10.2021, there was local body election and no such occurrence has been taken place. In order to wreck vengeance as against the petitioner, a false complaint has been lodged as against the petitioner due to political motive.

4. However, on perusal of the complaint revealed that on 09.10.2021, the petitioner had completely damaged the drinking water line and the same was questioned by the second respondent for which, they threatened her with dire consequences.

5. Though the respondent lodged complaint before the jurisdictional



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police and the same has not been considered and as such, the second respondent constrained to file a private complaint before the trial Court. After having been satisfied with the *prima facie* case made out by the respondent, the trial Court has now taken cognizance.

6. In view of the above, this Court finds no grounds to quash the proceedings in C.C.No. 196 of 2021 on the file of the Judicial Magistrate, Omalur. The petitioner is at liberty to raise all the grounds before the trial Court. The trial Court is directed to complete the trial within a period of six months from the date of receipt of copy of this Order.

7. Accordingly, the Criminal Original Petition stands dismissed.

23.04.2025

Index:Yes/No
Neutral Citation:Yes/No
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G.K.ILANTHIRAIYAN. J,

AT

To
The Judicial Magistrate, Omalur.

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