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Crl.O.P.No.8311 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2026

CORAM:

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

Crl.O.P.No.8311 of 2023 and
Crl.MP.Nos.5269 & 5270 of 2023

Vinoth

... Petitioner

Vs.

C.G.Sri Priya

... Respondent

Prayer: Criminal Original petition filed under Section 482 of Cr.P.C. praying to call for the records with respect of the complaint filed by the respondent herein in STC.No.1538 of 2017 on the file of the Judicial Magistrate VII, Coimbatore and quash the same as far as the petitioner is concerned.

For Petitioner : Mr.R.Nalliyappan

For Respondent : No appearance

ORDER

This criminal original petition has been filed praying to quash the proceedings in STC.No.1538 of 2017 on the file of the Judicial Magistrate VII, Coimbatore.

2. The learned counsel appearing for the petitioner would



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submit that it is the case of matrimonial dispute between the husband and wife. The petitioner herein is arrayed as A6 in the private complaint. The case was taken on file by the learned Judicial Magistrate No.VII, Coimbatore and the learned Magistrate has taken cognizance for the offence punishable under Section 506 Part I of IPC. He would further submit that it is the mere bald statements of alleged threat would not attract the offence under Section 506 Part I of IPC. The allegation found against the petitioner in this case is abuse of process of law. Hence, he prays to quash the complaint.

3. Heard the learned counsel for the petitioner and perused all the materials placed before this Court. Though notice was served on the respondent, on one on behalf of her appeared before this Court today either in person or through pleader.

4. I have perused the entire materials and the sworn statement based on which, the private complaint was taken on file. The entire sworn statement on perusal makes it clear that it is the matrimonial dispute between the husband and wife. Thereafter, in the process it appears that on one occasion 07.09.2016, family members including the petitioner went to the house of the defacto complainant and made the statement that



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only for the sake of children they are remaining silent otherwise they will go to any extent. Other than above allegations nothing found against the petitioner.

5. On perusal of the entire statement, this Court is of the view that mere general allegation without actual intimidation causing danger to life would not constitute an offence under Section 506 Part I of IPC. Considering the entire statement, this Court is of the view that the petitioner has been roped unnecessarily in personal dispute between the defacto complainant and her husband.

6. In such view of the matter, continuing criminal prosecution against the petitioner is abuse of process of law. Hence, this private complaint in S.T.C.No.1538 of 2017 on the file of the learned Judicial Magistrate No.VII, Coimbatore is quashed against the petitioner alone. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected Criminal Miscellaneous Petitions are closed.

26.03.2026

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

Judicial Magistrate VII, Coimbatore

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