



ORDER

1. Accused No.2 has filed this writ petition with a prayer to quash the entire proceedings in C.C.No.20290/2023 pending before the Court of XXX Addl. Chief Metropolitan Magistrate, Bengaluru arising out of PCR No.8133/2023 registered for the offence punishable under Sections 499 and 500 of IPC.
2. Heard the learned counsel for the parties.
3. Learned counsel for the petitioner submits that the dispute is only between the complainant and respondent No.1 and the petitioner has been falsely implicated merely for the reason that he is the office bearer of the Kannada Film Producers Association and Secretary of Film Chamber of Commerce. She submits that there is no material to proceed against the petitioner and the Trial Court without appreciating this aspect of the matter has erred in issuing summons to the petitioner.
4. Respondent had filed a private complaint before the Trial Court under Section 200 of Cr.P.C. as against two accused persons. Petitioner is arraigned as accused No.2 in the complaint. Specific allegations are made as against both the



accused with regard to the statements made by them defaming the complainant, which allegedly has caused dent on his image and reputation. The complainant in his sworn statement has reiterated the statements made by the petitioner herein in a press conference and it is his specific case that the said statements made by the petitioner herein, in the press conference are defamatory in nature. The complainant has also stated that his friends and well wishers have called him subsequently and have enquired with regard to the correctness of the statement made by the petitioner and he has specifically averred that such enquiry has affected his standing and reputation in the Society. It is also his case that thereafter accused Nos.1 and 2 have published messages in social media and they have held protests against him.

5. Considering the averments made in the complaint, as well as in the sworn statement of the complainant, the Trial Court having found that complainant has made out a *prima facie* case to proceed against the accused persons for the alleged offences has issued summons to both the accused and after receipt of summons, the petitioner has appeared before the Trial Court and was enlarged on bail. Since the complaint as well as the



sworn statement contain specific allegations against petitioner which according to the complainant are defamatory and have caused dent to his image and reputation in the Society, *prima facie* case is made out against the accused. Therefore, no illegality or irregularity can be found in the order of issuing summons by the Trial Judge. Under the circumstances, I do not find any good ground to entertain this petition. Accordingly, the petition is dismissed.

**Sd/-
JUDGE**

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