

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.28011 of 2015

A.Elayaarasan

... Petitioner/Accused-1

Vs

1. The Inspector of Police,
Marakkanam Police Station,
Marakkanam.
Cr.No.113 of 2013.

2. R.Nivedha ... Respondents/defacto complainants

Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in Cr.No.113 of 2013 on the file of the respondent police and quash the same against the petitioner/accused alone.

For Petitioner	:	Mr.P.Veeraraghavan
For respondent	:	Mr.C.Emalias, Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to call for the records in Cr.No.113 of 2013 on the file of the respondent police and quash the same against the petitioner/accused alone.

2. The complaint was lodged and FIR has been registered in Cr.No.113 of 2013 as against the petitioner for offences under Section 294, 427 r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act on 13.2.2013 based on the complaint given by R.Nivedha. Two years have been passed since the date of registration of the complaint. Till date, investigation has not been commenced. Hence, the present petition is filed to quash the proceedings in Cr.No.113 of 2013.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. In my considered opinion, the scope of Section 482 Cr.P.C. to quash the criminal proceedings filed under Protection of Women from Domestic Violence Act is very narrow. Since investigation is pending, I am not inclined to entertain this petition. Hence, the petition is dismissed. However, petitioner is at liberty to approach this Court after the filing of the final report.

kua

s/d-
Assistant Registrar(CCC)

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Sub-Assistant Registrar

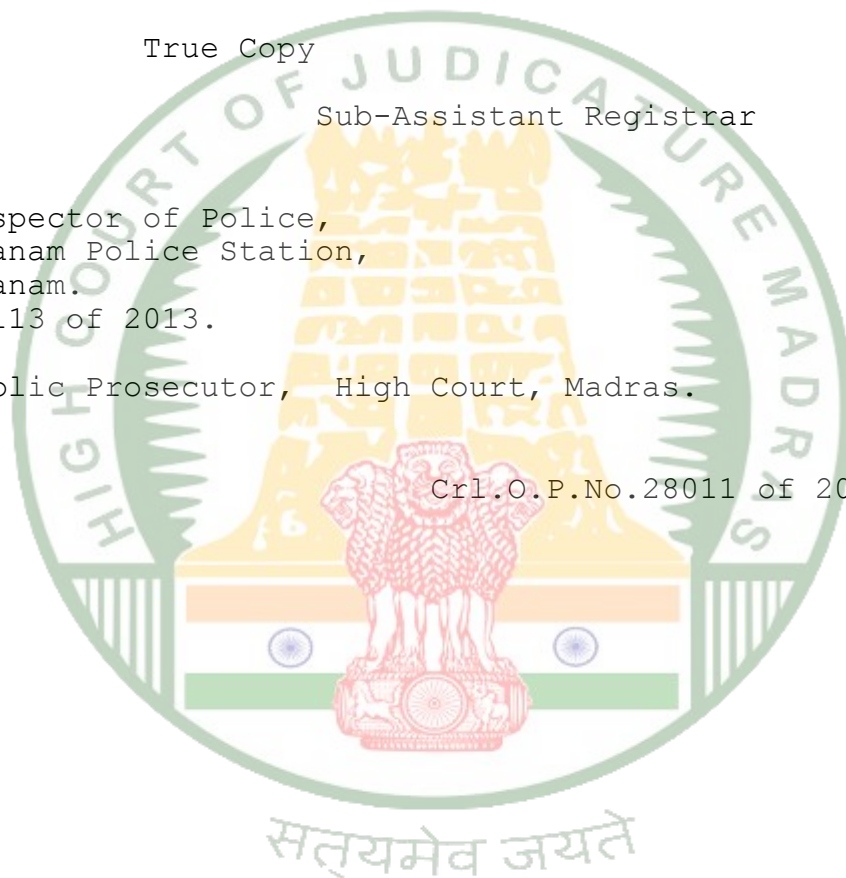
To

1. The Inspector of Police,
Marakkanam Police Station,
Marakkanam.
Cr.No.113 of 2013.

2. The Public Prosecutor, High Court, Madras.

gj(co)
prk16/12

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