

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.18374 of 2016

Riyaz @ Razyeez Ahmed .... Petitioner

Vs.

1.State Rep. by  
The Inspector of Police,  
J-6, Thiruvannamiyur Police Station,  
Chennai 41.  
(Crime No.1221 of 2016)

2.Mrs.Swetha Karthik,  
L/1198, 29<sup>th</sup> Cross Street,  
Thiruvalluvar Nagar,  
Thiruvannamiyur,  
Chennai 600041. .... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records in Crime No.1221 of 2016 dated 13.07.2016 on the file of the 1<sup>st</sup> respondent and to quash the First Information Report.

For Petitioner : Mr.M.Prabakar

For 1<sup>st</sup> Respondent : Mr.C.Emalias, APP

O R D E R

This petition has been filed to quash the First Information Report in Crime No.1221 of 2016 on the file of the first respondent police.

2. Heard the learned counsel for the petitioners; learned Additional Public Prosecutor for the 1<sup>st</sup> respondent and perused the materials placed on record.

3. On the complaint lodged by one Mrs.Swetha Karthik, the respondent Police have registered a case in Crime No.1221 of 2016 on 13.07.2016 under Section 507 of I.P.C. and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, and during investigation, this petitioner has been arrested. Challenging the FIR, this petitioner is before this court.

4. Mr.Prabakar, learned counsel appearing for the petitioner submitted that the FIR does not disclose the commission of offence under Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act.

5. On reading of the First Information Report, it is seen that the defacto complainant is a software personnel and that she has been getting messages in whatsapp and call from a particular number stating that the caller was continuously talking about Swathi's murder in abusive words.

6. First Information Report is not an Encyclopaedia of the prosecution case. The fact remains that the Police have identified the petitioner as the person, who had made the fake calls to the defacto complainant and they have arrested him. Under such circumstances, this is not a fit case to quash the FIR when the investigation is at the stage of infancy and the petition stands dismissed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,  
J-6, Thiruvannamipur Police Station,  
Chennai 41.

2.The Public Prosecutor,  
High Court, Madras.

+1cc to M/S.M.Prabakar, Advocate Sr.48336

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srg 16/09/2016