

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2016

CORAM:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. No.25562 of 2016

N.Ayesha

Petitioner

vs.

1.The State rep by
The Inspector of Police
S-19 Pallikaranai Police Station
Velacherry Main Road, Pallikaranai
Chennai 600 100.

2.Narmatha
Child Helpline, Chennai.

Respondents

Criminal Original Petition filed under Section 482, Cr.P.C. to call for the records and quash the FIR No.3268 of 2016 dated 24.08.2016 on the file of the respondent police.

For petitioner : Mr.Mohan
for Mr.Yogeshwaran

For R1 : Mr. C. Emalias
Addl. Public Prosecutor

ORDER

This petition has been filed to call for the records and quash the FIR No.3268 of 2016 dated 24.08.2016 on the file of the respondent police.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. Today, Ms.A.Saraswathi, W.Gr.I 32437, Pallikaranai Police Station is before this Court.

4. On the complaint lodged by one Narmatha, the respondent police registered a case in Cr.No.3268 of 2016 on 24.08.2016 u/s 5 (1) and 6 of the Protection of Children from Sexual Offences Act, challenging which the petitioner is before this Court.

5. The FIR in this case has been given by one Narmatha, who is said to be an employee of Child Help Line and that she found the child "X" in a Balvadi run by a Non-Governmental Organisation and also observed certain injuries in the private parts of the child. Therefore, she suspected that the child should have been subjected to sexual abuse. Hence, the FIR.

6. Admittedly, the child is 1-1/2 years old and in fact, no one has been named in the FIR.

7. Learned Additional Public Prosecutor submitted that the child was also subjected to medical examination and the report is awaited.

8. Under such circumstances, the first respondent police is directed to proceed further with the investigation in Cr.No.3268 of 2016 and if it is found that no sexual abuse had occurred as suspected by the complainant, it is needless to state that the FIR shall be closed.

With the above direction, this petition is closed.

gms

Sd/-
Assistant Registrar (J)
/TRUE COPY/
Sub-Assistant Registrar

To

1.The Inspector of Police
S-19 Pallikaranai Police Station
Velacherry Main Road, Pallikaranai
Chennai 600 100.

2.The Public Prosecutor
High Court, Madras.

+1CC to MR.YOGESHWARAN Advocate SR.NO.70247

Cr1.O.P. No.25562 of 2016

SSK[CO]
MK:02/01/2017