

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.8898 of 2016
and CRL.MP.No.4644 of 2016

1.N.Annadurai
2.A.Saroja
3.A.Preethi

... Petitioners

Vs

1.The Inspector of Police,
Thermal Police Station,
Neyveli Town Ship,
Cuddalore District.

2.B.Jayanthi

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records on the file of the Inspector of Police, Thermal Police Station, Neyveli Town Ship, Cuddalore District concerned in Crime No.82 of 2015 in so far as the petitioners are concerned and quash the same.

For Petitioners : Mr.M.Senthamizh Selvan
For 1st Respondent : Mr.C.Emalias, APP

O R D E R

This petition has been filed to quash the proceedings in Crime No.82 of 2015 on the file of the 1st respondent-police.

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

3. It is seen that on a complaint lodged by one B.Jayanthi that the 1st petitioner pulled her saree and tried to molest her on 25.06.2015, the 1st respondent-police have registered a case in Crime No.82 of 2015 for the offences under Sections 147, 148, 294[b], 323, 379 and 506[i] IPC r/w Section 4 of TNWH Act against the petitioners herein. Challenging the same, the petitioners are before this Court.

4. Learned counsel for the petitioners submitted that the 3rd petitioner was a minor and at the relevant time, she was in school and was not present in the scene of occurrence.

5. In the light of the law laid down by the Hon'ble

Supreme Court in State of Haryana Vs Bhajan Lal reported in 1992 Supp [1] SCC 335, this Court cannot interfere and quash the F.I.R., as there are prima facie materials for the investigation to proceed. However, this Court directs the respondent-police to look into the aspect, as to whether, Preethi [3rd petitioner herein] was available at the place of occurrence, as she is said to have been in the school. The respondent-police is directed to proceed with the investigation dispassionately and if it is found that the petitioners are not involved in the offence, it is needless to state that they shall be excluded in the final report.

With the above direction, this petition is closed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

gya

To

1.The Inspector of Police,
Thermal Police Station,
Neyveli Town Ship,
Cuddalore District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.J. Yogo Anandhi, Advocate, S.R.No.29102

GJ(CO)
EU(13/06/2016)

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