

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2017

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

Crl.O.P.No.19808 of 2012

and

M.P.No.1 of 2012

S.Arumugam

..Petitioner/Accused

Vs.

1.State rep by
Inspector of Police
W-27, All Women Police Station
Vadapalani, Chennai -26

2.Dr.R.Krihtika Datta

.. Respondents/Complainant/Defacto
Complainant

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for records in C.C.No.210 of 2012 on the file of learned Judicial Magistrate I, Poonamallee, Chennai and quash the same.

For Petitioner : Mr.V.Krishnamoorthy

For Respondents : Mr.M.Mohammed Riyaz, G.A.(Crl.side)
Mr.Arafat Mohammed for R2

सत्यमेव जयते

O R D E R

Petitioner seeks quash of proceedings in C.C.No.210 of 2012 on the file of learned Judicial Magistrate I, Poonamallee, Chennai.

2. Even as we found that the offence alleged against the petitioner viz., Sec.4 of Tamil Nadu Prohibition of Harassment of Women Act 1988 r/w 417 I.P.C would not stand attracted since the allegations against the petitioner are that he sent lecherous messages to the defacto complainant over short messaging service as in the light of judgment of this Court

reported in Anbazhagan vs. State, 2012 (2) MLJ (Cr1) 29, the same would not amount to commission of offence alleged, this Court considered it appropriate to require the presence of petitioner. Accordingly, petitioner is present before this Court.

3. This petition is allowed on condition of petitioner paying a sum of Rs.50,000/- to the Tamilnadu State Legal Services Authority within a period of four weeks from the date of copy of this order. Consequently, proceedings in C.C.No.210 of 2012 on the file of learned Judicial Magistrate I, Poonamallee, Chennai is quashed. Connected miscellaneous petition is closed.

Post for reporting compliance on 05.06.2017.

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Judicial Magistrate I, Poonamallee,
Chennai
2. Do Thro The Chief Judicial Magistrate
Thiruvallur
3. The Inspector of Police
W-27, All Women Police Station
Vadapalani, Chennai -26
4. The Public Prosecutor
High Court, Madras

Copy to

The Secretary
Tamil Nadu State Legal Services Authority
High Court, Madras
+1 CC to Mr.V. Krishnamoorthy, Advocate sr 24818

Cr1.O.P.No.19808 of 2012

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