



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.05.2017

CORAM:

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

WEB COPY

Cr1.OP.(MD)No.6450 of 2017
and Cr1.M.P.(MD) Nos.4254 and 4255 of 2017

K.Kasilingam

... Petitioner

Vs.

1.The Inspector of Police,
All Women Police Station,
Kodaikanal, Dindigul District.

2.Patte Anne Tower,
AEON Trust,
Samba Estate, Pethuparai,
Perumal Malai, Dindigul District.

... Respondents

PRAYER: This Criminal Original Petition is filed Under Section 482 of Criminal Procedure Code, praying to call for the records in C.C.NO.245/2015 on the file of the Judicial Magistrate, Kodaikanal and quash the same.

For Petitioner : Mr.S.M.S.Johnny Basha
For 1st Respondent : Mrs. S.Prabha
Government Advocate (Crl. Side)

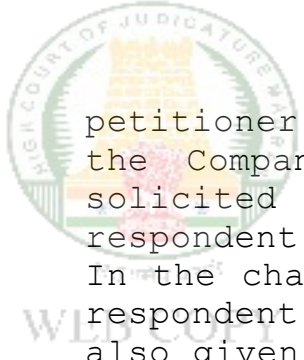
O R D E R

This Criminal Original Petition is filed Under Section 482 of Criminal Procedure Code, seeking quash of the proceedings in C.C.NO.245/2015 on the file of the Judicial Magistrate, Kodaikanal.

2. Heard Mr.S.M.S.Johnny Basha, the learned counsel appearing for the petitioner and Mrs.S.Prabha, the learned Government Advocate (Criminal side) appearing for the 1st respondent.

3.It appears that the petitioner is claiming relief on the ground that he is an Assistant Engineer in Tamil Nadu Electricity Board,Dindigul District.

4.As a public servant, the petitioner receives salary from the taxes paid by the public. So, he has to exercise much care while dealing with the public. With respect to the charge against the petitioner, a complaint was also originally preferred before the Human Rights Commission. The 2nd respondent had approached the



petitioner with respect to the Electricity Service Connection of the Company she was working. The petitioner is said to have solicited sexual favours at the office premises of the 2nd respondent and reiterated demand of sexual favour a second time. In the charge sheet, statements of witnesses corroborating the 2nd respondent's statement have been enclosed. The 2nd respondent had also given a statement under Section 164 Cr.PC. Consequently it is a matter for evidence. The case has now been taken on file by the Judicial Magistrate as Calender Case No.245 of 2015, under Section 354(A) IPC and under Section 4 of TNPHW Act. It had been taken cognizance on 31.12.2015 and process had been issued for the hearing date 18.02.2016. The petitioner has approached this Court after more than one year. Therefore, it has to be proceeded by the concerned Court on the basis of the evidence. Hence, I am not inclined to quash the proceedings against the petitioner.

5. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are also dismissed.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
All Women Police Station,
Kodaikanal, Dindigul District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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GSP
JM/JC/SAR 2/01.06.2017/2P/3C