



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:18.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.9154 of 2017

and

CRL.M.P. (MD) Nos.6228 & 6229 of 2017

K.M.Jainudeen

... Petitioner/Accused No.5

-Vs-

1. The State rep. By,
The Sub Inspector of Police,
Vaalinkkam Police Station,
Vaalinkkam,
Ramanathapuram District.
(Crime No.14 of 2016) ... 1st Respondent/Complainant
2. Panjaandi ... 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to call for records pertaining to the Charge Sheet in C.C.No.13 of 2017 on the file of the learned Judicial Magistrate, Mudhukulathur, Ramanathapuram District, and quash the same as illegal as against the petitioner.

For Petitioner : Mr.D.S.Haroon Rasheed

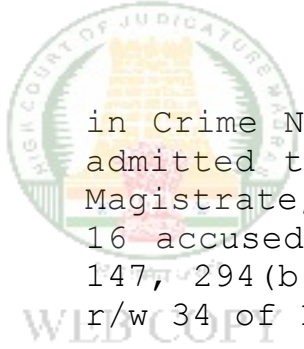
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl. Side).

O R D E R

This Criminal Original petition is filed for quashing the Charge Sheet in C.C.No.13 of 2017 on the file of the learned Judicial Magistrate, Mudhukulathur, Ramanathapuram District.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal side) appearing for the first respondent.

3. The case of the petitioner is that the second respondent gave a complaint before the first respondent police against 16 named accused for the alleged offences punishable under Sections 147, 323 and Section 4 of Tamil Nadu Prohibition of Women Harassment Act and a case was registered by the first respondent



in Crime No.14 of 2016, dated 04.02.2016. The petitioner himself admitted that Charge Sheet was filed before the learned Judicial Magistrate, Mudhukulathur in C.C.No.13 of 2017 against the above 16 accused including the petitioner and Sections were altered as 147, 294(b), 323, 324, 109 of I.P.C., and Sections 4 of TNPHW Act, r/w 34 of I.P.C.

4. From the reading of the Charge Sheet, clearly indicate that the petitioner is also involved in the offence and that the petitioner was framed under Section 109 of I.P.C., r/w 34 of I.P.C.

5. In the said circumstances, the contention of the petitioner that the statement obtained from the defacto complainant does not indicate the involvement of the petitioner, has no merits. Hence, the Criminal Original petition is dismissed. However, the personal appearance of the petitioner is dispensed with, until or unless it is specifically required by the Court. Consequently, connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate, Mudhukulathur,
Ramanathapuram District
2. The Sub Inspector of Police,
Vaalinothkam Police Station,
Vaalinothkam, Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.D.S.Haroon Rasheed , Advocate Sr.No.66010

PMU

VB/MR/KKR/SAR4/26.07/2017/2P/5C

CRL.O.P. (MD) No.9154 of 2017