

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.23502 of 2018 and
Crl.M.P.No. 13182 of 2018

Sridevi ... Petitioner
Vs.

1. The Superintendent of Police,
Krishnagiri District.
2. The Inspector of Police,
Denkanikottai,
Krishnagiri District.
3. Soodappa ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to FIR No.278 of 2018 dated 13.08.2018 on the file of Denkanikottai Police Station, Krishnagiri District, now pending before the 2nd respondent and quash the same as unjust, illegal, unlawful and unsustainable.

For Petitioner : Mr.A.Lobamurda

For R1 and R2 : Mrs.M.Prabhavathi
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to call for the records pertaining to FIR in Crime No.278 of 2018 dated 13.08.2018 on the file of Denkanikottai Police Station, Krishnagiri District, now pending before the 2nd respondent police and quash the same as unjust, illegal, unlawful and unsustainable.

2. On the complaint lodged by the 3rd respondent, the 2nd respondent police have registered a case in Crime No.278 of 2018 on 13.08.2018 for the offences under Sections 294(b), 323 and 324 IPC against the petitioner herein, for quashing which, this application has been filed.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor, appearing for the 1st and 2nd respondents.

4. The learned counsel for the petitioner submitted that on the complaint given by the petitioner, a case in Crime No.277 of 2018 has been registered on 13.08.2018 for the offences under Sections 294(b), 323 and 324 IPC against the 3rd respondent herein, and the petitioner was in the hospital for the injuries sustained by her in the attack by the 3rd respondent and therefore, the entire FIR in Crime No.278 of 2018 is a false one.

5. Per contra, the learned Additional Public Prosecutor refuted the contentions.

6. Since this is a case and counter, FIR cannot be quashed at the threshold. Therefore, this Court directs the Deputy Superintendent of Police, in-charge of Denkanikottai Police Station to monitor the investigation in Crime Nos.277 and 278 of 2018, that is being conducted by the Inspector of Police, Denkanikottai Police Station and complete the same within a period of six months from the date of receipt of a copy of this order. If, during the course of investigation, it is found that the petitioner was not involved in the offence, it is needless to state that further action against the petitioner should be dropped in Crime No.278 of 2018.

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

mkn/ssr

Sd/-

Assistant Registrar(CS v)

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Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,
(in-charge of Denkanikottai Police Station)
Krishnagiri District.

2. The Superintendent of Police,
Krishnagiri District.

3. The Inspector of Police,
Denkanikottai, Krishnagiri District.

4. The Public Prosecutor,
High Court, Madras.

+2cc to Mr.P.R.Balasubramanian , Advocate SR.No. 68515

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ASK(30/10/2018)