



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.14426 of 2018
and
Crl.M.P (MD) No.6460 of 2018

1. Rama

2. Deepika

3. Deepasri

... Petitioners/Accused No. 1 to 3

Vs.

1. The State rep by
The Inspector of Police
Manachanallur Police Station
Trichy District
Crime No.232 of 2017

2. Neelavathi

...Respondents/Complainants

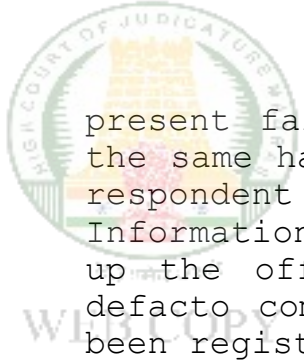
Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to the case in Crime No.232 of 2017 under sections 294(b), 323, 506(ii) of IPC and Section 4 of TNPHW Act pending on the file of the first respondent police and quash the same as against the petitioners concerned.

For Petitioner : Mr.K.Anna
For Respondents : Mrs.S. Bharathi
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.232 of 2017 which was registered for alleged offences under Sections 294(b), 323, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act.

2. The learned counsel for the petitioners would submit that the second and third petitioners were attacked by the husband of the defacto complainant and First Information Report was registered in crime No.231 of 2017 for alleged offences under Sections 294(b), 323, 324, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act. As a counter blast, the



present false complaint has been filed against the petitioner and the same has been registered in crime No. 232 of 2017 by the first respondent police. He would further submit that the present First Information Report has been registered only with a view to cover up the offences that have been committed by the husband of the defacto complainant for which First Information Report has already been registered and investigation is still pending.

3. The learned Government Advocate (Crl Side) would submit that the first respondent police is investigating both the case and the counter case and final report will be filed within a reasonable time. Both the case are still under investigation.

4. Admittedly there is a case and counter case that is investigated by the first respondent police. Under such circumstances, it will not be permissible for the petitioners to challenge the First Information Report against them since it would impact the investigation that is now carried out by the first respondent police. In case of this nature, the police must be allowed to investigate the case and the counter case in order to find out the real truth. Under such circumstances, this petition cannot be entertained at this stage.

5. It is suffice to direct the first respondent police to investigate the Crime Nos. 231 of 2017 and 232 of 2017 and file final report within a period of two months from the date of receipt of copy of this order.

6. With the above direction, the Criminal Original Petition is disposed of. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl. side)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1. The Inspector of Police
Manachanallur Police Station
Trichy District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.K.Anna, Advocate SR.No.79069

Crl.O.P. (MD) No.14426 of 2018

and

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