

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.7497 of 2019

Karthik J alias Govarathan ... Petitioner/Accused

Vs.

1. State of Tamilnadu,
Rep. by the Inspector of Police,
W-33, All Women Police Station,
Madhavaram

2.J.Vasanthi
... Respondents/ Complainant/ /Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to W-33, All Women Police Station, Madhavaram under F.I.R.No.6 of 2018 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.M.Illiyas
For Respondents
For R1 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

O R D E R

This petition has been filed to quash the F.I.R. in Crime No.6 of 2018 registered by the first respondent police for offences under Sections 6, 5(j) (ii), 5(1), 5(n), 17 of Protection of Child from Sexual Offences Act 2012 and under Section 313 of I.P.C.

2. The learned Counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Without any base, the first respondent police registered a case in Crime No.6 of 2018 for the offences under Sections 6, 5(j) (ii), 5(1), 5(n), 17 of Protection of Child from Sexual Offences Act 2012 and under Section 313 of I.P.C., as against the petitioner. Hence he prayed to quash the same.

3. The learned Additional Public Prosecutor would submit that the defacto complainant has given the complaint stating that her elder son had sexual relationship with her daughter as such she became pregnant. He further submitted that the investigation is yet to be completed.

4. Heard Mr.M.Illiyas, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the first respondent.

5. It is seen the petitioner has committed very serious offence and the case has been registered even under Protection of Child from Sexual Offences Act. Hence, this Court is not inclined to allow this petition.

6. With the above observations, this Criminal Original Petition is dismissed.

Sd/-
Deputy Registrar(CJ conf)

//True Copy//

Sub Assistant Registrar

lok
To

1. The Inspector of Police,
W-33, All Women Police Station,
Madhavaram

2. The Additional Public Prosecutor,
High Court of Madras

+1cc to Mr.M.Illiyas , Advocate SR.No. 27317

A.SK(16/05/2019)

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