



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 21.10.2019
CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

WEB COPY

Crl.O.P.(MD)No.6294 of 2018
and
Crl.M.P.(MD)Nos.2988 & 2989 of 2018

Raihan Nisha

... Petitioner/Sole
Accused

Vs.

1.The State rep by its
The Inspector of Police,
Puthanatham Police Station,
Trichy District.
(Crime No.29 of 2017)

... Respondent/Complainant

2.YasarArafath

... Respondent/Defacto
Complainant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the records in C.C.No.27 of 2018 on the file of the learned Judicial Magistrate, Manapparai and quash the same as illegal.

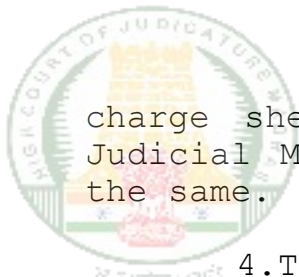
For Petitioner	: Mr.J.Jeyakumaran
For R1	: Mr.K.Suyambulinga Bharathi Government Advocate (Crl.Side)
For R2	: Mr.T.C.S.Thillainayagam

O R D E R

This petition has been filed to quash the proceedings in C.C.No.27 of 2018 on the file of the learned Judicial Magistrate, Manapparai.

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

3. 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.29 of 2017 for the offences under Sections 3 & 4 of Tamilnadu Prohibition of Harassment of Woman Act, 2002 and Section 66 E of Information Technology Act, as against the petitioner and filed



charge sheet in C.C.No.156 of 2015 on the file of the learned Judicial Magistrate No.II, Kuzhithurai. Hence he prayed to quash the same.

4.The learned Government Advocate (criminal side) would submit that there are specific allegations as against the petitioner to attract the offence under Sections 3 & 4 of Tamilnadu Prohibition of Harassment of Woman Act, 2002 and Section 66 E of Information Technology Act. He further submitted that now the trial commenced and all the prosecution witnesses already examined and it is posted for questioning under Section 313 of Cr.P.C. Hence, at this stage, the entire proceedings cannot be quashed.

5.Recording the said submission, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Judicial Magistrate,
Manapparai.
2. The Inspector of Police,
Puthanatham Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.T.C.S.THILLAINAYAGAM, Advocate (SR-93485[F] dated 22/10/2019)

Crl.O.P.(MD)No.6294 of 2018

and

Crl.M.P.(MD)Nos.2988 & 2989 of 2018

21.10.2019

DSS

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