



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.4085 of 2018

and

CrI.M.P. (MD) No.2013 of 2018

1.Shanmuga Velayutham

2.Arumugam

... Petitioners/Accused Nos.2 & 3

Vs

1.The State rep. by

The Inspector of Police,
Courtallam Police Station,
Tirunelveli District
Crime No.476 of 2017

... Respondent/Respondent

2.Sathya

... Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the entire records pertaining to the case in crime No.476 of 2017 on the file of the Inspector of Police, Courtallam Police Station, Tirunelveli District and quash the same as against the petitioners.

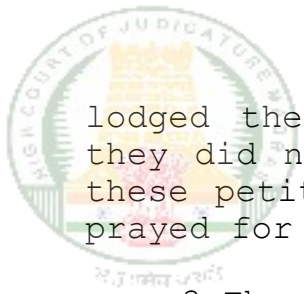
For Petitioners : Mr.R.Anand

For Respondents : Mr.K.Suyambulinga Bharathi, G.A.
CrI. Side for R1
R2 - No Appearance

O R D E R

This petition has been filed to quash the complaint in crime No.476 of 2017 on the file of the Inspector of Police, Courtallam Police Station, Tirunelveli District as against the petitioners.

2.The learned counsel appearing for the petitioners would submit that though this case has been registered against three persons, the entire allegation is only as against the 1st accused and in respect of the other accused viz., the petitioners/A2 and A3, they are none other than the Secretary and Headmaster of the School concerned. The offence under Sections 10, 12 and 21(2) of the Protection of Child from Sexual Offences Act, 2012 has been registered for the allegation that the 1st accused committed sexual harassment on the students. Therefore, the defacto complainant



lodged the complaint before the petitioners/A2 and A3, in which, they did not take any action as against the 1st accused and hence, these petitioners have also been implicated as accused. Hence, he prayed for quashment of the case as against these petitioners.

3.The learned Government Advocate (criminal side) would submit that the investigation is going on and it is yet to be completed and final report would be passed within a short period.

4.Considering the facts and circumstances of the case, the 1st respondent is directed to conduct an enquiry and after complete the investigation, final a final report against the concerned accused persons, within a period of three months from the date of receipt of a copy of this order.

5.With the above direction, this petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(AD-II)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Inspector of Police,
Courtallam Police Station,
Tirunelveli District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.ANAND, Advocate (SR-85164[F] dated 04/09/2019)

Order made in
CRL.O.P (MD) No.4085 of 2018
and
Cr1.M.P.(MD) No.2013 of 2018
03.09.2019

arul

JM/23.09.2019/2P/4C