



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P. (MD) .No.590 of 2018
and
CRL.M.P (MD) No.245 of 2018

Karpagarani

... Petitioner

Vs.

1.The Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.
(Crime No.432 of 2017)

2.Prameela

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the Crime No.432 of 2017 on the file of the Inspector of Police, Tiruchendur Police Station, Thoothukudi District and quash the same.

For Petitioner : Mr.V.Malaiyendran

For R1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)

For R2 : Mr.Sulthan Basha,
for M/s.Ajmal Associates.

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.432 of 2017, on the file of the Inspector of Police, Tiruchendur Police Station, Thoothukudi District, for the offence punishable under Section 352 of IPC.

2.The petitioner is sole accused in this case. She was working as Masalji in the defacto complainant's house. The allegation in the complaint is that the wife of one Subordinate Judge, Tiruchendur, lodged a compliant alleging that when she directed the accused to sweep the hall area, instead of sweeping that area, she swept other area and also the petitioner threatened the defacto complainant and also her children.



3.On perusal of the First Information Report, the occurrence took place on 04.09.2017 and the complaint was lodged only on 18.09.2017. Though the said complaint was forwarded through the learned Magistrate on 11.12.2017 and thereafter, on 13.12.2017, it was registered for the offence under Section 352 IPC. There is no explanation for the delay in lodging the complaint.

4.The petitioner while she was working as Masalji in the residence of the judicial officer, she was directed to do some work. There was a quarrel arose between the petitioner and the *defacto* complainant. As such, the present complaint has been lodged. It is also seen from the First Information Report, the allegations are very factual in nature and the petitioner is also suspended from service. Now the suspension order has been revoked and she joined in some other Court.

5.Considering the facts and circumstances of the case and also the allegation levelled against the petitioner, this Court is inclined to quash the proceedings.

6.Accordingly, FIR in Crime No.432 of 2017 on the file of the Inspector of Police, Tiruchendur Police Station, Thoothukudi District is hereby quashed and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

1.The Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.

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

+1 CC to M/s.V.MALAIYENDRAN, Advocate SR-86383[F] dated 12/09/2019
+1 CC to M/s.AJMAL ASSOCIATES, Advocate SR-86657[F] dated 13/09/2019

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