



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.09.2020

CORAM:

THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

CRL OP(MD)No.9250 of 2020

and

CRL MP(MD)No.4330 of 2020

WEB COPY

- 1.Suresh
- 2.Madasamy
- 3.Thangammal
- 4.Kavitha

... Petitioners / A1 to A4

Vs.

- 1.The State Rep.by
The Inspector of Police,
All Women Police Station,
Tirunelveli City P.S.
(In Crime No.8 of 2019)

... Respondent / Complainant

- 2.Priyadharshini

... 2nd Respondent /
Defacto Complainant

PRAYER: Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the Crime No.8 of 2019, on the file of the Inspector of Police, All Women Police Station, Tirunelveli City and quash the same in respect of the petitioners as illegal.

For Petitioners : Mr.A.Jayaramachandran

For Respondent-1 : Mr.R.Erottuchamy
Govt.Advocate (crl.side)

O R D E R

This Criminal Original Petition has been filed to call for the records pertaining to Crime No.8 of 2019, on the file of the Inspector of Police, All Women Police Station, Tirunelveli City and quash the same, as illegal, in respect to the present petitioners herein.

2. On an earlier occasion ie., on 02.09.2020, when this petition was came up for hearing, this Court directed the learned Principal District Judge, Tirunelveli, to make a surprise visit to the Court of Judicial Magistrate No.IV, Tirunelveli, and thereafter, after verifying the case records, directed to submit a report whether the first respondent police herein filed a final report in respect to Crime No.8 of 2019, on the file of the respondent Police.



3. Complying the directions issued by this Court, the learned Principal District Judge, Tirunelveli, has submitted a report after verifying the case records found available in the Court of Judicial Magistrate No.IV, Tirunelveli. In his report, the learned Principal District Judge, Tirunelveli, has stated that in connection with Crime No.8 of 2019, the respondent police had already filed the final report and thereafter, in respect to alteration of Section of law, the learned Judicial Magistrate No.IV, issued notice to the respondent police and directed to file his remarks.

4. Ultimately, it is made clear that as of now, the first respondent had filed the final report in Crime No.8 of 2019, and thereby, the question of quashing the First Information Report does not arise. Accordingly, this Criminal Original Petition is dismissed with liberty to the petitioner to challenge the final report filed by the 1st respondent. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

MPK

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Principal District Judge,Tirunelveli.
2. The Judicial Magistrate No.IV,Tirunelveli.
- 3.The Inspector of Police,
All Women Police Station,
Tirunelveli City P.S.,Ramanathapuram.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

CRL OP(MD)No.9250 of 2020
16.09.2020

SCR(CO)

AP(25/09/2020) 2P 5C

<https://hcservices.ecourts.gov.in/hcservices/>