



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P. (MD)No.4946 of 2021

and Crl.M.P. (MD) .No.2833 of 2021

1.M.Srinivasan

2.Nirmala @ Nirmala Srinivasan

3.S.Grish @ Grishwar

4.M.R.Kani @ Sermakani

... Petitioners/ Accused No.1,2,
3 and 5

Vs.

1.State through the Sub Inspector of Police,
Koodal Pudur Police Station,
Madurai District.
in Crime No.173/2021

...1st respondent/Complainant

2.Uma Maheswarai

... 2nd respondent/Defacto
complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records and quash the First Information Report in Crime No.173 of 2021 dated 21.03.2021 on the file of the Respondent No.1 against the petitioners.

For Petitioner : Mr.B.Sukumar

For R-1 : Mr.K.Sanjai Gandhi
Government Advocate

For R-2 : Mr.S.Ramasamy

O R D E R

This petition has been filed seeking quashment of First Information Report in Crime No.173 of 2021 dated 21.03.2021, which was registered for the offences punishable under Sections 379, 506 (i) IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, on the file of the Respondent No.1 against the petitioners.



2. When the matter is taken up for hearing, the learned Additional Public Prosecutor submitted that investigation is undertaken in this case and during the course of investigation, it was found that there is no truth in the complaint. So further action was dropped. RCS notice in No.16 of 2021 was sent to the defacto complainant, who is the second respondent herein, but the same was refused to receive by him. It was also presented before the concerned Court.

3. However, the learned counsel for the second respondent submitted that there is no instructions from the second respondent with regard to the refusal of the above said notice. The second respondent may get the copy of the RCS notice from the office of the learned Additional Public Prosecutor and can workout his remedy through proper proceedings before the concerned Court. The prayer sought for in this petition has become infructuous.

4. Accordingly, this criminal original petition is dismissed as infructuous with the above directions. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 Sub Inspector of Police,
Koodal Pudur Police Station,
Madurai District.

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

+1 CC to M/s.B.SUKUMAR, Advocate (SR-32807[F] dated 27/10/2021)

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RK/JGB(18/11/2021) 2P 4C

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