



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2021

CORAM :

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

Crl.O.P.(MD)No.5565 of 2021

and

Crl.M.P.(MD)Nos.3187 and 3189 of 2021

Rasa @ Raja

... Petitioner

Vs.

1.The State Represented through
The Inspector of Police,
K.Pudur Police Station (L&O),
Madurai City.
In Crime No.383 of 2015.

2.A.Raju

3.Iswaryalakshmi

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to C.C.No.154 of 2015 on the file of the learned Judicial Magistrate No.VI, Madurai and quash the same.

For Petitioner	: Mr.D.S.Haroon Rasheed
For R1	: Mr.R.Srinivasan
	Government Advocate (Criminal side)

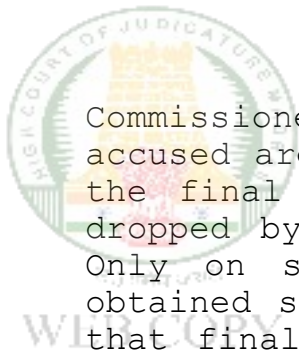
ORDER

The present petition is filed seeking to quash the proceedings in C.C.No.154 of 2015 on the file of the learned Judicial Magistrate No.VI, Madurai.

2.The case of the prosecution is that this petitioner along with the co-accused mentioned in the First Information Report have committed the offences punishable under Sections 3, 4(2)(c), 5(1)(a), 5(1)(d), 7(2)(c)(1) of ITP Act in Crime No.383 of 2015 before the first respondent police.

3.According to the learned counsel for the petitioner, eventhough the complaint has been registered on the basis of the victim girl, she has sent a representation, dated 03.04.2021 to the

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



Commissioner of Police, Madurai, stating that she and the first accused are family friends and nothing had happened as mentioned in the final report and on the date of alleged occurrence, she was dropped by the first accused near Puthur Karpagavinayagar Temple. Only on suspicion, they were taken to police station and they obtained signature in a blank paper. But later, she came to know that final report has been filed. So, according to her, no such occurrence took place as mentioned in the final report. Based upon this statement, the learned counsel for the petitioner wants the matter to be quashed.

4.The learned Government Advocate (Criminal side) for the first respondent would submit that it is a matter for trial and the first accused is the kingpin in the entire occurrence and he has to face the trial. Since serious allegation has been levelled against the petitioner in the final report the veracity of the representation of the victim girl, can be decided only during the course of trial. So, it is not a fit case to quash the proceedings on the basis of the alleged victim girl statement.

5.Considering the facts and circumstances of the case, this Criminal Original Petition is dismissed. Since the offence is of the year 2015, the learned Judicial Magistrate No.VI, Madurai, is directed to complete the trial in C.C.No.154 of 2015 within a period of six months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.

sjj
To

1.The Judicial Magistrate No.VI, Madurai.
<https://hcservices.ecourts.gov.in/hcservices/>



2.The Inspector of Police,
K.Pudur Police Station (L&O),
Madurai City.

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

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19.04.2021

GS (16.06.2021) 3P 4C