



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2021

CORAM :

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

Crl.OP(MD).No.6119 of 2021

and

Crl.MP(MD).No.3516 of 2021

WEB COPY

1. Kamaraj
2. Karuppaiah
3. Vairamuthu
4. Kasthuri
5. Vanakodi

... Petitioner/Accused No.1 to 5
Vs.

1. The State rep. By
The Inspector of Police,
All Women Police Station,
Rajapalayam,
Virudhunagar District.
(Crime No.19 of 2020)

...Respondent/Complainant

2. Santhi,
Govt. Official (Non-Gazetted),
Extension Officer (Social Welfare),
Regional Development office,
Rajapalayam,
Virudhunagar.

... Respondent/Defacto Complainant

Prayer : Criminal Original Petition is filed under Section 482 of Criminal procedure Code, to call for the records of the First Information Report in Crime No.19 of 2020 on the file of the Inspector of Police, All Women Police Station, Rajapalayam, Virudhunagar District and quash the same.

For Petitioner : Mr.B.Jeyakumar

For Respondents : Mr.R.Srinivasan,

Government Advocate (Crl.Side).

ORDER

This Criminal Original Petition is filed seeking a direction to call for the records of the First Information Report in Crime No.19 of 2020 on the file of the Inspector of Police, All Women Police Station, Rajapalayam, Virudhunagar District and quash the same.

2. The case of the prosecution is that the second and fifth petitioners are none other than the grandparents of the victim



girl and the first petitioner is a maternal uncle of the victim girl. The girl used to visit and stay in her grandparents house during holidays. Taking advantage of the same, someone had made an anonymous call and the defacto complainant without even ascertaining the truth and without even collecting a single piece of evidence, produced the victim girl before the learned Judicial Magistrate and recorded her statement. In her statement under Section 164 Cr.P.C it is seen that she has not been married and based on an anonymous call, the defacto complainant had lodged a false complaint and now she is continuing her studies and the petitioners are her family members. She is a studious student and she is continuing her education. Due to pending of this false case against the whole family members by showing the victim girl as a cause for registration of FIR will affect her mentality and the future of the girl will be disturbed. The above case is instituted based on the anonymous information with an ulterior motive for wrecking vengeance against the other persons. Hence, the present petition.

3. The learned Public Prosecutor would submit that investigation in this case has already been completed and a final report is also filed before the concerned Magistrate today.

4. Recording the submission made by the learned Public Prosecutor, this Criminal Original Petition stands disposed by granting liberty to the petitioner to raise all the grounds before the learned Magistrate, through appropriate proceedings. Consequently, Connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Kmm

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 State rep. By
The Inspector of Police,
All Women Police Station,
Rajapalayam,
Virudhunagar District.
(Crime No.19 of 2020)

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

W.P. (MD) No.6119 of 2021

29.04.2021

CN(12.08.2021) 3P 3C