



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 02.09.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.9166 of 2021 and

Crl.MP(MD) No.4699 of 2021

WEB COPY

1.Sankar @ Prabhakaran  
2.Pradeepa

... Petitioners/Accused  
No.4 & 6

Vs.

1.State rep by  
The Inspector of Police,  
Vadipatti Police Station,  
Madurai District.  
(Crime No.1668 of 2020)

... Respondent No.1/  
Complainant

2.Pandiyammal

...Respondent No.2/Defacto  
Complainant

**Prayer :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records in Crime No.1668 of 2020 on the file of the Inspector of Police, Vadipatti Police Station, Madurai District and quash the same as against the petitioners.

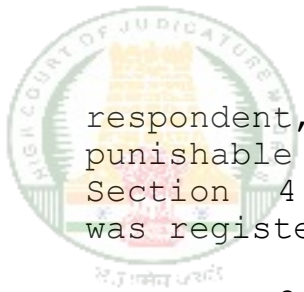
For Petitioner : Mr.G.Manikandan

For R1 : Mr.R.M.Anbunithi,  
Additional Public Prosecutor

**ORDER**

This petition is filed to quash Crime No.1668 of 2020 on the file of the Inspector of Police, Vadipatti Police Station, Madurai District and quash the same as against the petitioners.

2. The case of the prosecution in brief: As per the complaint given by the second respondent herein, who is the defacto complainant, because of the family dispute one Kushboo consumed poison. Over that the accused persons and others were scolding the defacto complainant suspecting that they are the reason for suicide attempt. On 19.08.2020 at about 7.00pm, when the defacto complainant sitting in front of her house, the accused persons came to her house and demanded Rs.8,00,000/- as maintenance to Kushboo. Over that there was wordy quarrel between them. As a result of which, the accused Raja assaulted her with stick. The other accused persons by caught hold of her assaulted her, as a result of which, she sustained injuries all over the body. They also gave criminal intimidation. Based upon the complaint given by the second



respondent, a case in Crime No.1668 of 2020 for the offences punishable under Sections 147, 294(b), 323, 324, 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002 was registered.

3. Seeking quashment of the above said First Information Report, this petition is filed mainly on the ground that in respect of the dispute between the parties, counter complaint was also filed and the same was registered in Crime No.1607 of 2020 against the defacto complainant's party. The first petitioner is doing her second year LLB at Sri Vijayanagar College of Law, New Delhi and the second petitioner is doing LLB third year at Government Law College, Madurai. On the date of occurrence, they were not present in the place of occurrence.

4. When the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that investigation has been completed and Final Report was also made ready and it was not presented before the Court due to vacancy of the Presiding Officer.

5. A report was called for from the concerned Court on the ground that the Final Report was presented before the Court on 08.12.2020 and that was not taken on file. The report has been called for and in the report, the Judicial Magistrate, Vadipatti has stated that the Final Report has been filed and taken on file in CC No.84 of 2021 and the case is posted on 09.09.2021 for appearance of the accused. Since Final Report has been filed and offence has been taken cognizance by the concerned Court, this petition has become infructuous. But, however, the petitioners are at liberty to work out their remedy through appropriate proceedings.

6. With the above liberty, this Criminal Original Petition is dismissed as infructuous. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (W)

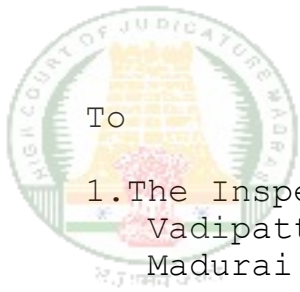
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/ /2021

Sub Assistant Registrar (CS)

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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 Inspector of Police,  
Vadipatti Police Station,  
Madurai District.

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

**Crl.O.P. (MD)No.9166 of 2021 and**

**Crl.MP(MD) No.4699 of 2021**

**02.09.2021**

RK (24.09.2021) 3P 3C