



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P.(MD)No.18034 of 2021 and
CRL.M.P.(MD)No.9852 of 2021

Subiya

... Petitioner / Accused No.4

Vs.

1. The State through,
The Inspector of Police,
All Women police station,
Usilampatti,
Madurai District.
(Crime No.16 of 2020) ... 1st Respondent / Complainant
2. Ithayavani ... 2nd Respondent /
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records of the First Information Report in Crime No.16 of 2020 on the file of the first respondent and quash the same as illegal in respect of the petitioner.

For Petitioner : Mr.J.Selvam
For R-1 : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

O R D E R

Heard the learned counsel on either side.

2. This criminal original petition has been filed for quashing the First Information Report in Crime No.16 of 2020 registered on the file of the first respondent.

3. When the matter was taken up for hearing, it is submitted that final report has been filed before the jurisdictional Magistrate. It is now confirmed by the jurisdictional Magistrate that the final report is presently pending scrutiny.

4. The learned Judicial Magistrate, Usilampatti, is directed to take a call in the matter and decide whether to take cognizance or not within three days. The petitioner is permitted to apply for the certified copy of the final report along with the statements recorded under Section 161 of Cr.P.C. Even before the date fixed for



the first appearance, the copies sought for shall be granted without any delay. Thereafter the petitioner can move this Court once again for relief.

5. With this direction to the Court below and liberty to the petitioner, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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 Judicial Magistrate,
Usilampatti.
2. Do Through
The Chief Judicial Magistrate, Madurai.
3. The Inspector of Police,
All Women police station,
Usilampatti, Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to
The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

Cr1.O.P. (MD) No.18034 of 2021
19.11.2021

tp(CO)
TR/SKN(22.11.2021) 2P 6C