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CrI.OP.No.27461 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2022

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

CrI.OP.No.27461 of 2022

and

CrI.MP.No.16902 of 2022

Sambasivam

...
/vs/

Petitioner/Accused

1.The Sub-Inspector of Police,
Ponnai Police Station,
Vellore District.
(Crime No.285/2021)

... 1st respondent / complainant

2.Nathiya

... 2nd respondent /defacto complainant

Prayer : Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure to call for the records of the C.C.No.25 of 2022 on the file of the learned Judicial Magistrate Court, Sholinghur pending trial and quash the same.

For Petitioner : Mr.G.Mohana Krishnan

For Respondent-1 : Mr.E.Raj Thilak,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been field to call for the records of the C.C.No.25 of 2022 on the file of the learned Judicial Magistrate Court, Sholinghur pending trial and quash the same.



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2. The learned counsel for the petitioner contended that the first respondent police had filed a charge sheet in a hurried manner and there are no materials available to make out the offences against the petitioner under sections 341, 294(b) of the Indian Penal Code and Sec.4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

3. On perusal of the records, it is seen that the accused have been charged for the offences under Sections 341, 294(b) of the Indian Penal Code and Sec.4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. The *defacto* complainant, who is the second respondent herein, had given her statement supporting her complaint; there are eyewitnesses and they have also given statements about the occurrence. The statements of the aggrieved woman and other private witnesses are sufficient enough to file the charge sheet against the petitioner for the offences under sections 341, 294(b) of the Indian Penal Code and Sec.4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

4. The learned counsel for the petitioner submitted that in the charge sheet, the signatures of the police officers by names J. Srinivasan and A. Shanmugam appears to be one and the same and it will show the callous manner in which the investigation has been made. Since it is not a case that has been filed without any



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valid materials.

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5. The clerical error is seen in the charge sheet as submitted by the petitioner cannot be the only reason to quash the charge sheet, after it is supported by other materials.

Accordingly, this Criminal Original Petition stands **dismissed**.
Consequently, connected miscellaneous petition is closed.

10.11.2022

jrs
Internet: Yes/No
Index: Yes /No
Speaking /Non Speaking

To

1. The Sub-Inspector of Police,
Ponnai Police Station,
Vellore District.

2.The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA, J.

jrs

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