



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.[MD].No.1688 of 2020

and

CRL.M.P.[MD]Nos.791 and 792 of 2020

1.Meena

2.Sithambara Vinitha

... Petitioners/Accused 1 & 3

Vs.

1.The State represented by
The Inspector of Police,
City Crime Branch,
Trichy District.
(Crime No.46 of 2017)

... 1st Respondent / Respondent

2.Lalithambigai

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the entire records pertaining to the case in C.C.No.2782 of 2019 on the file of the Additional Mahila Court, Trichy District and quash the same as against the petitioners.

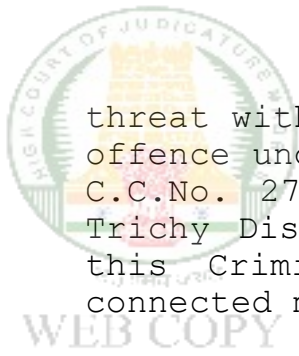
For Petitioners : Mr.R.Anand
For R1 : Mr.A.Thiruvadikumar,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed to quash the final report in C.C.No.2782 of 2019 on the file of the Additional Mahila Court, Trichy District, filed for the offences punishable under Sections 354A, 508, 406, 420 and 506 (i) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002.

2.The main charge against the first accused is that he cheated the defacto complainant under the pretext of performing certain pooja and cheated a sum of Rs.5,00,000/- (Rupees Five Lakhs Only). Thereafter, his activities came to be reported in one of the daily. The petitioners herein are the daughter and wife of the first accused, allegedly threatened the defacto complainant over phone. Therefore, these petitioners are charged for the offence punishable under Section 506(i) of IPC.

3.In the entire prosecution materials, except the allegation that there is a oral threat over telephone, there is no other materials placed by the prosecution and the number of telephone allegedly used is also not mentioned. Therefore, mere alleged



threat without causing any real threat to life would not attract the offence under Section 506(i) of IPC. Therefore, the final report in C.C.No. 2782 of 2019 on the file of the Additional Mahila Court, Trichy District, against the petitioners, is quashed. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

- 1.The Judicial Magistrate,
Additional Mahila Court,
Trichy District.
- 2.The Inspector of Police,
City Crime Branch,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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RS (21.03.2022) 2P-4C