



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1354 of 2022

and

Crl.M.P. (MD)No.1009 of 2022

Chinnappaiyan (Karutthan)

... Petitioner/Sole Accused

Vs.

1.The State rep. by
The Inspector of Police,
Othakadai Police Station,
Madurai District.
(Crime No.63 of 2021)

... 1st Respondent/Complainant

2.Alagulakshmi

... 2nd Respondent/Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records in Crime no.63 of 2021 pending on the file of the 1st respondent police and quash the same as against the petitioner.

For Petitioner : Mr.P.KARTHICK, Advocate

For Respondents : Mr.M.SAKTHI KUMAR,
Government Advocate (Crl. Side) for R1.

O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the first respondent.

2.The petitioner is an accused in Crime No.63 of 2021 registered on the file of the first respondent for the offences under Sections 3 and 4 of Protection of Children from Sexual Offences Act, 2012.

3.The learned counsel for the petitioner submitted that there is a dispute between the petitioner and the second respondent and that to settle scores, this FIR was lodged. He also drew my attention to the signed statement given by the second respondent. According to him, the matter has since been settled and that therefore, this impugned FIR can be quashed.

4.I am not persuaded by the aforesaid submission of the learned counsel for the petitioner. As rightly pointed out by the learned Government Advocate (Crl. Side), Section 22(1) of Protection of Children from Sexual Offences Act, 2012 provides for punishing the person, who has given false complaint or provided false information.



Therefore, if the petitioner's allegation is true, then the second respondent has to be necessarily prosecuted under Section 22(1) of Protection of Children from Sexual Offences Act, 2012. Therefore, this criminal original petition cannot be entertained and it stands dismissed. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (Writs)

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

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,
Othakadai Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.1354 of 2022
Date:27.01.2022

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