



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1601 of 2022

and

Crl.M.P(MD)No.1148 of 2022

WEB COPY

Nageswari

... Petitioner/Accused No.1

Vs.

1.The Inspector of Police,
K.Pudur Police Station,
Madurai City.
(Crime No.598 of 2021)

... 1st Respondent/Complainant

2.Malaiammal

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the First Information Report in Crime No.598 of 2021 on the file of the first respondent and quash the same as illegal and abuse of process of law insofar as the petitioner is concerned.

For Petitioner : Mr.K.Navaneetharaja

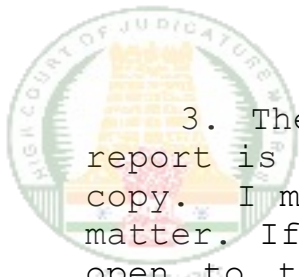
For 1st Respondent : Mr.M.Sakthi Kumar

Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the impugned FIR. The learned counsel appearing for the petitioner reiterated all the contentions set out in the memorandum of grounds.

2. He is also willing to produce certain video footage. Though I find the petitioner's counsel's contentions to be persuasive, I am not able to entertain this Criminal Original Petition for the simple reason that according to the Government Advocate (Criminal Side), final report was filed on 17.08.2021 itself before the Additional Mahila Court, Madurai. It appears that cognizance is yet to be taken. The jurisdictional Court is directed to take a call in the matter on merits and in accordance with law within a period of four weeks from the date of receipt of copy of this order.



3. The first respondent is directed to verify, if the final report is still available and if it is not available, file a fresh copy. I make it clear that I have not gone into the merits of the matter. If the Court below accepts the final report, it is always open to the petitioner to challenge the same on merits of the matter.

4. Giving liberty to the petitioner to move this Court again, if necessary, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Deputy Registrar (Accts.)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

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 Judge, Additional Mahila Court,
Madurai.
- 2.The Inspector of Police,
K.Pudur Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**Crl.O.P (MD)No.1601 of 2022
and
Crl.M.P (MD)No.1148 of 2022
28.01.2022**

SMV (CO)
SB(26.02.2022) 2P 4C

<https://hcservices.ecourts.gov.in/hcservices/>