



Crl.O.P.(MD) No.11897 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.07.2022

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THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.11897 of 2022

F.Antony Sharmila

... Petitioner

Vs

The State Represented by
The Inspector of Police,
Vijayanarayanam Police Station,
Vijayanarayanam, Nanguneri Taluk,
Tirunelveli District.
In Crime No.66 of 2020

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to issue a direction, to the respondent to file the report in Crime No. 66 of 2020 on the file of the respondent police within the time frame fixed by this Court as directed by the Judicial Magistrate, Nanguneri in Crl.M.P.No.3084 of 2020 in R.C.S.No.01 of 2020, dated 21.11.2020.

For Petitioner : Mr.C.K.M.Appaji

For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl Side)



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ORDER

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This Criminal Original Petition has been filed for a direction to the respondent to file the report in Crime No.66 of 2020 on the file of the respondent police within the time frame fixed by this Court as directed by the Judicial Magistrate, Nanguneri in Crl.M.P.No.3084 of 2020 in R.C.S.No.01 of 2020, dated 21.11.2020.

2. The learned counsel for the petitioner submitted that the petitioner is working as the Secretary in the T.A.105. INS Kattabomman Employees Co-operative Thrift and Credit Society Ltd. The accused is the president of the same society. The petitioner was sexually harassed by the accused person. Hence, the petitioner gave a complaint to the respondent police, dated 09.04.2020 and C.S.R.No was given on 10.04.2020. They enquired and registered the case in Crime No. 66 of 2020 for the offences under Section 509, 294(b), 354A and 506 (ii) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002. After investigation, the complaint was closed as “Mistake of fact” and hence the petitioner filed a protest petition in Crl.M.P.No.3084 of 2020 in R.C.S.No.01 of 2020, dated



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21.11.2020, before the Judicial Magistrate, Nanguneri. The learned Judicial Magistrate directed the respondent police to re investigate the case further and file a report without any delay and the same was allowed on 21.11.2020. Hence this petition.

3. When the matter is taken up for hearing, the learned Government Advocate (Criminal Side) appearing for the respondent submitted that, after receiving order from the Judicial Magistrate, Nanguneri in Crl.M.P.No.3084 of 2020 in R.C.S.No.01 of 2020, dated 21.11.2020. The respondent police again investigate the matter and the complaint has been closed as “Mistake of Fact” and the closure report has been filed.

4. I have considered the submission, on perusal of the records it is seen that the matter has been closed as “Mistake of fact”. Hence, this Criminal Original Petition is closed with liberty to the petitioner to approach the concerned Court for further action in this matter.

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Internet: Yes./No
Index: Yes/no
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To

1. The Judicial Magistrate,
Nanguneri.
2. The Inspector of Police,
Vijayanarayanam Police Station,
Vijayanarayanam, Nanguneri Taluk,
Tirunelveli District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

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ORDER IN
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