



WEB COPY

Crl.O.P.(MD) No.10851 of 2022 and

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.(MD) No.10851 of 2022 and

CRL.M.P(MD) .No.6824 of 2022

Sangunathan

... Petitioner

Vs.

1.State rep. by
Sub Inspector of Police,
soolakarai Police Station,
Virudhunagar District.
Crime No.122 of 2021

2.Veeralakshmi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in the case of Crime No.122 of 2021 on the file of the 1st respondent police and quash the same as against the petitioner / accused No.3.

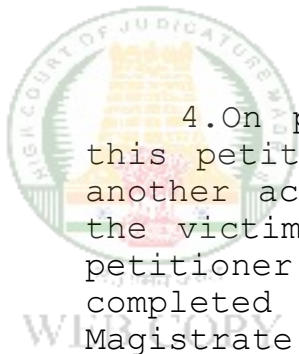
For Petitioner : Mr.M.Jothi Basu
For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition is filed to call for the records in the case of Crime No.122 of 2021 on the file of the 1st respondent police and quash the same as against the petitioner / accused No.3

2.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that there is a specific overtact attributed against this petitioner and that he wrongfully restrained the father of the complainant and assaulted others and thereby, caused injuries to the victim. He further submitted that the investigation has been completed and the final report was filed before the Judicial Magistrate No.II, Virudhunagar on 25.08.2021.

3.Considering the submissions and on perusal of the records it reveals that the alleged occurrence took place on 20.07.2021 and a case has been registered in Crime No.122 of 2021 for the offences under Sections 147, 148, 294(B), 323, 324, 342, 506(ii) IPC r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. According to the petitioner there is no allegation against the petitioner.



4. On perusal of the First Information Report it reveals that this petitioner wrongfully restrained the complainant's father and another accused viz., Vijayaraj and another accused also assaulted the victim. There is a specific overtact attributed against the petitioner. Further, it is the circumstances, investigation has been completed and the final report was filed before the Judicial Magistrate No.II, Virudhunagar. When there is a specific over tact attributed against the petitioner on the initial stage, this Court is not inclined to quash the First Information Report and no merit in this Criminal Original Petition. Hence, this Criminal Original Petition is dismissed. However, the petitioner is given liberty to go through the final report and to take appropriate action in the enquiry. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The Sub Inspector of Police,
Soolakarai Police Station,
Virudhunagar District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-27004[F] dated 21/06/2022)

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RS (27.06.2022) 2P-4C