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Crl.O.P.No.12340 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.12340 of 2023

G.Rajan

... Petitioner

Vs.

1.State of Tamilnadu
represented by the Deputy
Superintendent of Police,
Tiruvallur Sub Division,
Tiruvallur District,
Tiruvallur – 602 001.

2.M.Asha

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records in S.C.No.168 of 2021 on the file of Principal District and Sessions Court at Tiruvallur and quash the charge sheet bearing No.F R 308/2021 filed against the Petitioner in Crime No.3104 of 2020.

For Petitioner	: Dr.C.K.Syed Shaffi
For Respondent	: Mr.S.Udaya Kumar
No.1	Government Advocate (Crl.Side)

ORDER

To quash the case in S.C.No.168 of 2021 on the file of Principal District and Sessions Court at Tiruvallur, the present criminal original petition has been filed.



2.The petitioner is the sole accused in S.C.No.168 of 2021 on the file of the Principal District and Sessions Court at Tiruvallur. This petition is filed to quash the complaint stating that the defacto complainant is not a member of SC/ST community but she belongs to Vanniyar Community and she herself has appeared before the Court and filed an affidavit stating that she has made the complaint on the instigation of others and therefore, the complaint alleging that the petitioner had molested her modesty using his position is false and therefore, the case has to be quashed.

3.No doubt, there is certified by VAO and some affidavit before the trial Court which lends some credence to the contention of the petitioner. However, the credential of those two documents to be tested and left open to the trial Court to first ascertain the community of the defacto complainant and her affidavit retracting the earlier complaint and then proceed with the trial.

With this observation, the criminal original petition is disposed of.

Index : Yes/No
Neutral Citation : Yes/No
sms

18.10.2023



Crl.O.P.No.12340 of 2025

To

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1. The Principal District and Sessions Court,
Tiruvallur.
2. The Deputy Superintendent of Police,
Tiruvallur Sub Division,
Tiruvallur District,
Tiruvallur – 602 001..
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

sms

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