



WEB COPY



Crl.O.P.No.8844 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

CORAM

THE HONOURABLE JUSTICE Dr. G. JAYACHANDRAN

Crl.O.P.No.8844 of 2023

and

Crl.M.P.No.5671 of 2023

S.Padmasree

... Petitioner

Vs.

1. Inspector Of Police
D3, Podanur Police Station,
Coimbatore,
In Cr.No.562/2022.

2. Selvi

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records on the file of the respondent police in Cr.No.562/2022 and quash the same.

For Petitioners : Mr.R.Angalaparameswari

For Respondents : Mr.Leonard Arul Joseph Selvam,
Government Advocate (Criminal Side),
(for R1)

No Appearance (For R2)

ORDER



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WEB COPY This Criminal Original Petition is filed to call for the records on the file of the respondent Police in Crime No.562 of 2022 and quash the same.

2. The learned Counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged in the impugned FIR. Without any base, the respondent Police registered a case as against the petitioner in Crime No.562 of 2022 for the offences under Sections 406 and 420 of IPC. He further submitted that it is a motivated complaint against the petitioner and the FIR was registered based on the bond alleged to have been executed by the Accused for Rs.2,00,000/- (Rupees Two Lakhs) without even making a proper primary inquiry. The Investigating Officer has failed to take note of the fact that the petitioner is a mentally ill person and also not conversant with the Tamil language wherein the disputed bond is written in Tamil language. Hence he prayed to quash the same.

3.The learned Public Prosecutor would submit that the investigation has been completed and draft final report is ready. Based on the material collected in the course of the investigation, prima facie material is to be



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taken cognisance of the offence, which is to be tried by the concerned Magistrate. Hence, he prayed for dismissal of this petition.

4. Perused the materials available on record.

5. In the light of the above facts, this petition is dispose of giving liberty to the petitioner herein to agitate her task on receipt of the documents relied by the prosecution under Section 207 Cr.P.C. Consequently, connected miscellaneous petition is also dismissed.

01.12.2023

Index : Yes/No
Neutral Citation : Yes/No
sha

To

1. Inspector Of Police
D3, Podanur Police Station,
Coimbatore,

2.The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr. G. JAYACHANDRAN. J.,

(sha)

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