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Criminal Original Petition No.230 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.230 of 2022

and

Crl.M.P.No.62 of 2022

1.T.Praveenraj
S/o.Thangaraj (Late)

2.T.Dhanalakshmi
W/o.Thangaraj (Late)

3.T.Praveena Rani
D/o.Thangaraj

...Petitioners

Vs

1.State represented by
The Inspector of Police,
AWPS, Dharmapuri.
Crime No.18 of 2021

2.Shobana
W/o.Praveenraj

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to quash the FIR in Crime No.18 of 2021 pending on the file of Inspector of Police, All Women Police Station, Dharmapuri.



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For Petitioners : Ms.S.Sumithra

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]
Mr.A.Sakthivel [R2]

ORDER

This petition has been filed seeking to quash the First Information Report pending investigation in Crime No.18 of 2021 on the file of first respondent.

2. When the matter was taken up for hearing, learned Additional Public Prosecutor appearing on behalf of first respondent submitted that investigation was completed and final report has been filed and the case is now pending in C.C.No.74 of 2023 before the Additional Mahila Court, Dharmapuri.

3. Learned counsel for petitioner submitted that this is a fit case where this Court can exercise its jurisdiction under Section 482 of the Code of Criminal Procedure, 1973 and interfere with the final report that has been filed before the Court below since no offence has been made out against the petitioners.



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4. In the considered view of this Court, the consideration for challenging a final report, which is now pending in C.C.No.74 of 2023 on the file of Additional Mahila Court, Dharmapuri. is completely different from the consideration that is done while challenging the First Information Report. In view of the same, it is left open to the petitioners to file a fresh petition challenging the proceedings pending before the Court below, if they are so advised.

Accordingly, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is closed.

03.07.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

To

1.The Inspector of Police,
AWPS, Dharmapuri.
Crime No.18 of 2021

2.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

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