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Crl.O.P.No.21181 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.11.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.21181 of 2023

and

Crl.M.P.No.14555 of 2023

Anbazhagan

... Petitioner

-VS-

1. The State, rep. by
The Inspector of Police,
Banavarani Police Station,
Ranipet District.
(Crime No.04 of 2022).

2. Kalaivani

...Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, call for the records from the 1st respondent police in Crime No.04 of 2022 and quash the same.

For Petitioner : Mr.R.Thirumoorthy

For 1st Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

For 2nd Respondent : No Appearance



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ORDER

The petition to quash the FIR in Crime No.4 of 2022 alleging that the complaint filed by the President of the Panchayat, due to malicious intention since the petitioner is an activist to question the activities of the Panchayat President.

2. The learned Government Advocate (Crl.Side) would submit that the petitioner over phone as well as in front of the public had made certain derogatory words and abused the complainant in public and hence, the case was registered against him for an offence under Section 294(b), 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

3. The statement of witnesses have been recorded and having material to show that the petitioner has committed offence under Section 294(b), 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. In view of the interim order passed by this Court, final report though prepared has not been submitted before this Court through e-filing as per prevailing filing procedure.



4. The CD file with the statement of witnesses perused. This Court is of the view that the FIR which is now culminating in completion of investigation and ripe for filing final report need not be quashed and without adverting to the contents of 161 statement recorded by the Investigating Officer, giving liberty to the petitioner herein to agitate the points canvassed at the appropriate stage, after receipt of the documents relied by the prosecution annexed along with the final report.

5. The interim stay for final report is vacated. The respondent police is directed to file their final report within five days from today. If the court takes cognizance of evidence, serve copies to the petitioner and the point raised by the petitioner may be agitated before the trial Court at the appropriate stage.

6. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

23.11.2023

Index : Yes/No

Neutral Citation : Yes/No

ssn

To

<https://www.mhc.in.gov.in/judis> 1. The Inspector of Police,



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Banavarani Police Station,
Ranipet District.

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

Dr.G.JAYACHANDRAN, J.,

ssn

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