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Crl.O.P.No.22552 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22552 of 2023
and
Crl.M.P.Nos.15749 & 15750 of 2023

P.Jayaraman

... Petitioner

Vs.

1.The Sub Inspector of Police (L & O),
T-3, Pallavaram Police Station,
Pallavaram,
Chennai-600 043.

2.Priya

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records in C.C.No.261 of 2023 on the file of the learned District Munsif cum Judicial Magistrate, Pallavaram, Kancheepuram and quash the proceedings in respect of the petitioner.

For Petitioner : Mr.M.Murali

For R1 : Mr.S.Udaya Kumar
Government Advocate (Criminal Side)



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ORDER

The petitioner herein facing trial before the District Munsif cum Judicial Magistrate, Pallavaram in C.C.No.261 of 2023 is before this Court seeking quash of the criminal proceedings.

2. The case has been registered based on the complaint given by one Priya, the 2nd respondent herein alleging that on 17.02.2019 at about 22.00 hours when the defacto complainant and her brother were proceeding to their house in a two wheeler, the accused came near their vehicle and dashed against them. When that was objected, he used filthy language and slapped the brother of the defacto complainant and tore the blouse and saree of the defacto complainant. Hence for the offence under Sections 341, 294 (b), 323 and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 was registered. On completion of investigation based on the Accident Report, police has filed final report and same has been taken on file in C.C.No.261 of 2023. The petitioner herein seeks quash the case on the ground that a parallel investigation was done by the Human Rights Commission and on the petition given, the State Human Rights Commission has ordered the Government to pay the compensation of



Rs.1,00,000/- to the complainant and collected Rs.50,000/- from the 1st respondent namely, the Inspector of Police and Rs.30,000/-from the 2nd respondent namely, the Sub-Inspector of Police, both attached to Pallavaram police station and Rs.10,000/- each from 3rd and 4th respondents who are the police constable of the same police station.

3. The learned counsel appearing for the petitioner harping on the findings of the State Human Rights Commission submitted that the criminal complaint cannot be proceeded in view of the finding given by the State Human Rights Commission.

4. This Court is clear in its mind that the State Human Rights Commission findings has no bearing in a criminal proceedings and the Commission's order are only recommendatory in nature. Criminal prosecution based on the investigation is to be decided in accordance with law. Hence this Criminal Original Petition seeking quash of the criminal proceedings is dismissed. Consequently, the connected Criminal Miscellaneous Petitions are also dismissed.

06.11.2023



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Neutral Citation : Yes/No
rpl

Dr.G.JAYACHANDRAN, J.

rpl

To

1.The District Munsif cum Judicial Magistrate, Pallavaram, Kancheepuram.

2.The Sub Inspector of Police (L & O),
T-3, Pallavaram Police Station,
Pallavaram,
Chennai-600 043.

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

Crl.O.P.No.22552 of 2023

06.11.2023



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Crl.O.P.No.22552 of 2025