



WEB COPY



CrI.O.P.No.27693 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM

THE HONOURABLE MR. JUSTICE Dr. G. JAYACHANDRAN

CrI.O.P.No.27693 of 2023

1. Sekar

2.Kumaran

3.Chandrasekar

4.Jayakrishnan

5.Imayavaramban

6.Munirathinam

... Petitioners

Vs.

1. The State Rep. By
Inspector Of Police,
Poonamallee Police Station,
Avadi Chennai,
Cr.No.290 Of 2023

2.Saveetha

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in Cr.No.290 of 2023 pending on the file 1st respondent for the offence under Sec.147, 294(b), 323, 342 of



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IPC and 4 Prohibition of harassment of women act quash the same and pass such other or further order as this Hon'ble Court may deems fit and proper in the circumstances of the case and render justice.

For Petitioners : Mr.S.N.Subramani

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

ORDER

This Criminal Original Petition is filed to call for the records in Cr.No.290 of 2023, pending on the file 1st respondent for the offence under Sec.147, 294(b), 323, 342 of IPC and 4 Prohibition of Harassment of Women Act and quash the same.

2. The learned Counsel appearing for the petitioner would submit that the petitioners did not commit any offence as alleged in the impugned FIR. Without any base, the respondent Police registered a case as against the petitioners in Crime No. 290 of 2023 for the offences under Sections 147, 294(b), 323, 342 of IPC and 4 Prohibition of Harassment of Women Act. Hence he prayed to quash the same.



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3.The learned Government Advocate (criminal side) submitted that the petitioners, who are practising advocate, had got involved in a domestic dispute and the complaint has been registered against him for offence under Section 147, 294(b), 323, 342 of IPC and 4 Prohibition of Harassment of Women Act. A counter case against these petitioners has also been registered by the respondent Police and the same is under investigation. The case and the case in counter by itself indicates that there had been some instants which require the interference of the Police for the alleged cognizable offence. When the de-facto complainant, as accused, approached this Court for collection for records, this Court on perusing the records found that it is not a fit case for quashment of FIR.

4. Perused the materials available on record.

5. In view of the prima facie materials available for investigation, the same yardstick and reasoning equally applies to these petitioners also. Accordingly, the petition stands dismissed.

11.12.2023

Index : Yes/No
Neutral Citation : Yes/No
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To

1. Inspector Of Police,
Poonamallee Police Station,
Avadi Chennai,

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



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Dr. G. JAYACHANDRAN. J.,

(sha)

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