



*CrI.O.P.(MD) No.13261 of 2023*

**WEB COPY** BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED: 25.07.2023**

**CORAM:**

**THE HONOURABLE DR.JUSTICE D.NAGARJUN**

**CrI.O.P.(MD) No.13261 of 2023**

**and**

**CrI.M.P.(MD) No.10357 of 2023**

**Pappitha Rani**

**... Petitioner**

**Vs.**

**1.The Inspector of Police,  
Veerapandi Police Station,  
Theni District.**

**2.Dhanalakshmi**

**..Respondents**

**PRAYER :** Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in connection with Crime No.196 of 2023 on the file of the Veerapandi Police Station, Theni District and quash the same.

**For Petitioner : Mr.B.Jeyakumar**

**For R1 : Mr.E.Antony Sahaya Prabakar  
Additional Public Prosecutor**



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**ORDER**

This petition is filed seeking quashment of the FIR in Crime No.196 of 2023 on the file of the respondent No.1 police, which was registered against the petitioner for the offences punishable under Sections 294(b), 323, 324, 506(ii) and 109 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

2.It is submitted by the learned counsel that there are disputes between the accused No.1 and the defacto complainant, who are the husband and wife and basing on a complaint given by the defacto complainant, a case has been registered in Crime No.196 of 2023 for the offence punishable under Sections 294(b), 323, 324, 506(2) and 109 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 not only against the accused No.1 and also against the the petitioner/accused No.2 alleging that the petitioner has abated the accused No.1 to commit the offences against the defacto complainant. It is submitted further that if the contents of the FIR are taken into consideration, there is nothing to demonstrate that the petitioner/A2 has abated the accused No.1 to commit the offences.



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3.The learned Government Advocate (Crl.side) on the other hand submits that after registration of the FIR, the police have almost recorded the statements of all the witnesses and within two weeks, they are likely to file the charge sheet. Once the investigation has already been completed, basing on the FIR alone, the petitioner cannot seek quashment of FIR, unless he is seeking the relief on technical grounds. But according to the petitioner, he is proceeding on the basis of overt acts against the petitioner/A2 in the FIR. Further, there are clear overt acts in respect of all the offenders including the petitioner even in the FIR. Unless the statements of the witnesses have gone through, it cannot be decided as to whether the allegations levelled by the defacto complainant against the petitioner/A2 are correct or not. Since the investigation almost stated to have been completed and the charge sheet is likely to be filed shortly, considering the fact that there are clear overt acts against the petitioner/A2, it cannot be recorded that there is no case against the petitioner/A2.

4.Accordingly, this Petition is disposed of granting liberty to the petitioner to challenge the charge sheet. The respondent No.1 police are directed to file the



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charge sheet as quickly as possible, but not later than three weeks from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No  
NCC : Yes / No  
Internet : Yes / No  
Index : Yes / No

**25.07.2023**

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To

- 1.The Inspector of Police,  
Veerapandi Police Station,  
Theni District.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**DR.D.NAGARJUN. J.**

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