



Crl.O.P.(MD) No.17565 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.17565 of 2023
and CrI.M.P.(MD)No.13929 of 2023

1.Vasanthakumar ... 1st Petitioner / 5th Accused
2.Minor Karankumar ...2nd Petitioner / 6th Accused
(2nd respondent represented by his father Sakthivel.)

Vs.

1.State Rep.by
The Inspector of Police,
Ammayanaicakanur Police Station,
Dindigul District. ...1st Respondent / Complainant
2.Saravanan ...2nd Respondent / De-facto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the impugned FIR in Cr.No.287 of 2022 dated 17.12.2022 for the offences punishable under Section 147, 148, 294(b), 323 and 324 of Indian Penal Code r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and quash the same as illegal insofar as the petitioners are concerned.



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For Petitioners :Mr.M.Jerin Mathew

For Respondent :Mr.Sakthi Kumar
Government Advocate (crl.side)

ORDER

This criminal original petition has been filed seeking quashment of the FIR in Cr.No.287 of 2022 dated 17.12.2022, on the file of the first respondent police.

2.The learned counsel for the petitioners would submit that on the basis of the complaint given by the second respondent case in Crime No.287 of 2022 has been registered by the first respondent for the offences punishable under Sections 147, 148, 294(b), 323 and 324 of I.P.C. r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. Seeking quashment of the above said FIR citing various grounds, this petition has been filed.

3.The learned Government Advocate (Crl. Side) would submit that even though case in counter case, in both the matters investigation has been completed and final report have been filed charge sheeting the accused persons separately before the learned Judicial Magistrate, Nilakottai on 08.02.2023. So far it has not been taken on file.



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4.The petitioners are at liberty to move proper application seeking quashment of the above said final report, since mandatory provisions has not been properly followed. There shall be a direction to the learned Judicial Magistrate, Nilakottai, to process both the final reports, since it has been stated to be filed in the month of February 2023 itself. So that the petitioners can move proper application.

5.With the above said directions and liberty, this criminal original petition stands disposed of. Consequently, connected miscellaneous petition is closed.

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

03.10.2023

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To

- 1.The Judicial Magistrate, Nilakottai.
- 2.The Inspector of Police, Ammayanaicakanur Police Station, Dindigul District.
- 3.The Additional Public Prosecutor,

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G.ILANGOVAN. J.

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