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Crl. O.P. No. 8021 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2024

CORAM

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl. O.P. No. 8021 of 2024

and

Crl. M.P. No. 5834 of 2024

1.Yasmeen

2.Anwar

3.Roja

... Petitioners

Vs.

1.State Rep., by

The Sub Inspector of Police,

H1, Washermenpet Police Station,

Chennai – 600 021.

(Crime No. 51 of 2021)

2.Gandhimathi

... Respondents

Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records in connection with the case in C.C.No.1322/2022 on the file of the Metropolitan Magistrate-XV, George Town, Chennai and quash the same as illegal and thus render justice.

For Petitioners : Mr. D. Mario Johnson

For Respondents : Mr. K.M.D. Muhilan, for R1
Government Advocate (Crl. Side)



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ORDER

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The Criminal Original Petition is filed to quash the final report which has been taken on file by the XV, Metropolitan Magistrate, George Town, Chennai in C.C.No.1322 of 2022. It is a case and case in counter which has led to registration of four FIRs, out of which, two at the instance of the parties through petition under Section 156 (3) Cr.P.C.

2. Learned counsel for the the petitioners submit that the complaint given by the petitioners were not registered and the C.S.R dated 07.09.2020 was closed as compromised. Pursuant to the order passed by the learned Judicial Magistrate under Section 156 (3) Cr.P.C., FIR was registered whereas, the present case against the petitioners is a motivated complaint and the Accident Register is totally contrary to the statement of the victim.

3. This Court after giving anxious consideration to the submissions made by the learned counsel for the petitioners and perused the record as submitted by the learned Government Advocate. Two different incidents, one on 12.01.2021 another on 20.02.2021. Now there are four FIRs. There



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are case and case in counter. As far as two complaints are concerned, it was already been culminated in filing final report and other two, the learned Government Advocate states that instruction is not available.

4. In any event, the nature of the complaint and the investigation in respect of issue reveals that both the parties had used violence and force which has led to registration of four cases. Parties are supposed to face the trial and prove their innocence. The points raised by the learned counsel for the petitioners herein are question of facts which has to be tested during the trial. So, this Court restrain itself from discussing merit of the submissions made by the petitioner counsel and it is for the petitioners to agitate those matters before the trial Court.

5. The Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

6. Learned counsel for the petitioners submit that the first petitioner is the mother of two young children and her personal appearance may be



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dispensed with. If any such petition is filed before the trial Court, the trial Court shall consider the petition and pass appropriate orders regarding the personal appearance of the petitioners.

02.04.2024

Index : Yes/No

Neutral Citation : Yes/No

AT

To

The Sub Inspector of Police,
H1, Washermenpet Police Station,
Chennai – 600 021.



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Dr.G.JAYACHANDRAN, J.

AT

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