



CRL.O.P.No.9579 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2024

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CRL.O.P.No.9579 of 2024

Mr.Karthik

... Petitioner

Vs.

1. The State of Tamil Nadu
Rep.by the Sub Inspector of Police
Gobinathampatti Police Station,
Dharmapuri, Tamil Nadu.
(Crime No.203 of 2023)

2. Muththalamal

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Cr.P.C. to call for records in Crime No.203 of 2023 on the file of Sub Inspector of Police, Gobinathampatti, Dharmapuri and quash the same in the interest of justice.

For Petitioner : Thamizhanban

For Respondent No.1 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)



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ORDER

This petition has been filed seeking to quash the proceedings in Crime No.203 of 2023 on the file of Sub Inspector of Police, Gobinathampatti, Dharmapuri

2. The case of the prosecution is that the petitioner is the relative of the complainant and on 08.10.2023 at about 1.30 p.m. when the *de facto* complainant asked the accused to cut the coconut shell from the coconut tree, at that time the accused entered into the house of the *de facto* complainant and committed rape on her, due to which the police registered the case in crime No.203 of 2023. Seeking to quash the proceedings in Crime No.203 of 2023, the present petition has been filed.

3. The learned counsel appearing for the petitioner submits that the respondent Police has registered a case against the petitioner without considering the real fact. He further submit that there is no specific overtact against the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the



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first respondent Police would submit that there are materials available to proceed with the case as against the petitioner herein and at the threshold, the criminal proceedings cannot be quashed and hence, he would pray to dismiss the present petition.

5. On a reading of FIR, there appears to be some materials for the investigation to proceed. Interfering with the investigation, which is at an infancy stage under Section 482 of the Code of Criminal Procedure, will be against the law laid down by the Supreme Court in *State of Haryana and others vs. Bhajan Lal and others* reported in *1992 Supp (1) SCC 335*.

6. Accordingly, this Criminal Original Petition stands dismissed. However, the first respondent Police is directed to conclude investigation in Crime No.203 of 2023 within a period of four weeks from the date of receipt of a copy of this order.

22.04.2024

Index: Yes/No
Internet: Yes/No
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M.DHANDAPANI , J.

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To

1. The Sub Inspector of Police
Gobinathampatti Police Station,
Dharmapuri, Tamil Nadu.
(Crime No.203 of 2023)
2. The Sub Inspector of Police, Gobinathampatti, Dharmapuri.
3. The Public Prosecutor,
High Court, Madras.

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