



Crl.O.P.No.10166 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.10166 of 2024

and

Crl.M.P.Nos.6981 & 6985 of 2024

P.Kingshuk Debsharma

... Petitioner

Vs.

1.The State Rep.by its
Deputy Superintendent of Police,
Anti Trafficking Cell,
Crime Branch CID,
Egmore, Chennai-600 008.

2.Ms.Bhaswathi Sarkar

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to call for the records pertaining to Spl.S.C.No.163 of 2023 on the file of the learned Principal District and Sessions Judge, Chennai and quash the same.

For Petitioner : Mr.K.R.Gayathri

For R1 : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition is filed to quash the final report taken cognizance by the learned Principal District and Sessions Judge, Chennai in Spl.S.C.No.163 of 2023.

2. The learned counsel appearing for the petitioner referring Section 161 Cr.P.C., statement of the witnesses and belated complaint alleging molestation after 4 years of the alleged incident requires interference of this Court.

3. The petition is not subjected to ordeal of criminal trial based on the frivolous complaint. However, from the material collected in the course of investigation, this Court finds *prima facie* material to proceed against the petitioner herein. If the petitioner is of the view that there cannot be any charge framed against him to try, it is open to him to approach the trial Court before framing charges seeking discharge. Hence this Court without going into the merits of the petition, which the view of this Court not maintainable. Hence this Criminal Original



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Petition is dismissed. Consequently, the connected Criminal

Miscellaneous Petitions are closed.

26.04.202

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1. Deputy Superintendent of Police,
Anti Trafficking Cell,
Crime Branch CID,
Egmore, Chennai-600 008.

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



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Dr.G.JAYACHANDRAN,J.

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