



Crl.O.P.No.19118 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.19118 of 2022

and

Crl.M.P.No.12629 of 2022

Saravanan

... Petitioner

Versus

1. State rep. by
The Inspector of Police,
Mamallapuram Police Station,
Chengalpattu-603 104.
(Crime No.289 of 2022)

2. Meena

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of Crime No.289 of 2022 on the file of Mamallapuram Police Station, Chengalpattu and quash the same.



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For Petitioner : Mr.Naveen Kumar Murthi
For Respondents : Mr.S.Vinoth Kumar,
Govt. Advocate (Crl. Side) for R1
Mr. A.Venkatesan for R2

ORDER

This Criminal Original Petition has been filed seeking to quash the F.I.R. in Crime No.289 of 2022 on the file of 1st respondent police.

2. Heard both sides.

3. The petitioner is ranked as 2nd accused in the F.I.R. in Crime No.289 of 2022 registered for an offence under Sec. 448, 294(b), 323, 506(1) of I.P.C. and Sec.4 of Prohibition of Harassment of Women Act, 2002 based on the complaint given by the 2nd respondent/defacto complainant.

4. The petitioner is working as an Assistant Engineer in TANGEDCO and one Muthuraman, who is working as a Reader under the control of petitioner. So, he is responsible for taking readings from



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the electricity meters in every house located in the circle. The learned counsel for petitioner would submit that on 08.01.2022, when the said Muthuraman went to 2nd respondent/defacto complainant's house to take reading at 10.30 a.m. at Perumal Koil Street, Perur, there was a wordy quarrel occurred, since owner of the house viz., Logamurthy raised objections to take readings, thereby he prevented to discharge the said Muthuraman/Reader. So, they have given a complaint in Crime No.20 of 2022 and as a counter-blast, at the instigation of her husband Logamurthy, she gave the present complaint. Based on that, the F.I.R. in Crime No. 289 of 2022 was registered. However, without any basic materials and ingredients, the said F.I.R. was registered against them. Hence, he prayed to quash the proceedings as it is a counter-blast complaint.

5. The learned Government Advocate (Crl. Side) appearing for 1st respondent admits the fact that after the complaint given by the petitioner, the 2nd respondent/defacto complainant gave the present complaint.



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6. On considering the facts and circumstances and on considering both side submissions, the fact reveals that the petitioner was ranked as A2 and one Muthuraman, who was working as a Reader under his control to take readings in the houses located in the circle with regard to consumption of electricity. While taking the readings, a wordy quarrel arose, wherein the husband of 2nd respondent/defacto complainant Logamurthy misbehaved and also abused the E.B. officials. So, they gave a complaint in Crime No. 20 of 2022 before the Mamallapuram Police Station. Subsequently, as a counter-blast, the present complaint was given by the 2nd respondent/defacto complainant as if E.B. official/reader misbehaved with her and the said F.I.R. in Crime No.289 of 2022 was registered. Accordingly, the fact reveals that subsequent to the complaint given by the E.B. official, the present complaint was lodged as rightly pointed out by the learned counsel for petitioner. So, the complaint given by her as such is a clear case of abuse of process of law. Hence, I do not find any merit in the present complaint and it is an after-thought of 2nd respondent in order to get over the complaint given by E.B. official. If



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such attitude is developed, the E.B. officials would not be able to discharge their duty. Hence, the proceedings initiated against the petitioner is liable to be quashed. Accordingly, this Criminal Original Petition is allowed and the proceedings initiated against the petitioner in F.I.R. in Crime No.289 of 2022 is quashed. Consequently, connected Criminal Miscellaneous Petition is closed.

24.01.2024

Index: Yes/No
Internet: Yes/No
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To

1. The Inspector of Police,
Mamallapuram Police Station,
Chengalpattu-603 104.
2. The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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