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Crl. O.P. No. 23354 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 24.09.2024

CORAM

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

Crl. O.P. No. 23354 of 2024

and

CRL.MP.No.13223 of 2024

Gopa Kumar M.P

.. Petitioner

Vs.

The State represented by  
The Inspector of Police,  
AWPS Perur Police Station,  
(Cr.No.9/2023)  
Coimbatore District.

... Respondent

**Prayer:** Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, to call for the records of the SC.No.152 of 2024 pending on the file of learned Mahila Judge of Coimbatore (Sessions Judge) and to quash the same from entire proceedings as illegal.

For Petitioner : Mr. S.Rajesh

For Respondent : Mr. K.M.D.Muhilan  
Government Advocate (Crl.Side)



Crl. O.P. No. 23354 of 2024

WEB COPY

## **ORDER**

This Criminal Original Petition is filed to quash the criminal complaint taken cognizance by the Mahila Court, Coimbatore in S.C.No.152 of 2024. Since the defacto complainant not made a party respondent, the petitioner is directed to implead her, but he has not impleaded the defacto complainant as respondent. However, canvassed to quash the complaint.

2. However, the material collected by the respondent police reveals commission of cognizable offence. Though the petitioner's counsel refers the letter of the complainant dated 11.12.2022 addressed to the police the petitioner herein agreed to continue the relationship (illicit) and she does not want to pursue the matter.

3. The nature of the complaint indicates that the petitioner herein having a extra marital affair with the complainant had threatened her, subsequently, withdrawn the relationship after some dispute between them.



**Crl. O.P. No. 23354 of 2024**

4. The undertaking of the petitioner that he will continue the illicit relationship will not be a ground to quash the complaint. The petitioner has to face the trial and prove his innocence, since very serious offence of injuring the modesty of woman been made out through the evidence collected by the investigation agency. Hence, the Criminal Original Petition to quash stands dismissed. Consequently, the connected miscellaneous petition is closed.

**24.09.2024**

Vv

To

- 1.The Inspector of Police,  
AWPS Perur Police Station,  
Coimbatore District.
- 2.The Public Prosecutor,  
High Court of Madras.



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**Crl. O.P. No. 23354 of 2024**

**Dr.G.JAYACHANDRAN,J.**

Vv

**Crl.OP.No.23354 of 2024**

**24.09.2024**