



Crl.O.P.(MD)No.265 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD) No.265 of 2022

and

Crl.M.P.(MD)No.157 of 2022

1.Ponnaiah

2.Gurunathan

... Petitioners

Vs.

1.The State of Tamil Nadu,
Rep.by The Sub Inspector of Police,
Alwarthirunagar Police Station,
Thootukudi District.

2.Selvi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records and quash the impugned FIR in Crime No.152 of 2021 dated 13.09.2021 registered on the file of the first respondent police under Sections 294(b), 506(1) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.



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For petitioners : Mr.P.M.Vishnuvarthanan
For R1 : Mr.B.Nambiselvan,
Additional Public Prosecutor

ORDER

When the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the first respondent would submit that after completion of investigation, the first respondent filed charge sheet, which was taken on file in C.C.No.74 of 2022 by the concerned Jurisdictional Magistrate.

2.At this juncture, the learned counsel appearing for the petitioners would submit that this Court granted an order of interim stay on 07.01.2022, however, the respondent police filed the charge sheet.

3.In reply, the learned Additional Public Prosecutor would submit that prior to the granting of interim stay, the first respondent police conducted investigation and filed the charge sheet as early as on 23.09.2021 and hence, nothing survives in this petition for further adjudication.



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4.Be that as it may, some guidelines were issued by the Hon'ble Supreme Court in a case of *State of Haryana and others vs. Bhajan Lal and others* reported in *1992 Supp (1) SCC 335* while quashing criminal proceedings.

5.However, recording the submission of the learned Additional Public Prosecutor, the Criminal Original Petition stands dismissed as infructuous. The petitioners are at liberty to workout their remedy in the manner known to law. Consequently, connected miscellaneous petition is closed.

22.01.2024

Index : Yes/No
Internet : Yes/No
gns

To

- 1.The Sub Inspector of Police,
Alwarthirunagar Police Station,
Thootukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

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