



Crl.O.P.(MD)No.20669 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

Crl.O.P.(MD) No.20669 of 2022

and

Crl.M.P.(MD).No.14389 of 2022

Manthiramoorthi

... Petitioner

Vs.

1.State rep. by
the Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi Crime No.423 of 2019

2.Ponmalar

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the proceedings in Crime No. 423/2019 pending on the file of the 1st respondent and quash the same.

For petitioner : Mr.R.Jegadeeswaran

For R-1 : Mr.S.Manikandan,
Government Advocate (Criminal Side)

For R-2 : No appearance

ORDER

This criminal original petition has been filed seeking to quash the first information report in Crime No.423 /2019 registered under Sections 294(b) and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2022.



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2. The case of the prosecution is that it is alleged that when the mobile phone, which was used by the de-facto complainant's daughter, was sold by the son of the petitioner. When the same was questioned by the de-facto complainant, the petitioner said to have abused her. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that without going into the merits of the case, this Court may issue a direction to the first respondent police to complete the investigation within a stipulated period by providing an opportunity to the petitioner, in order to disprove the complaint preferred by the second respondent and prove his innocence.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the investigation in this case will be completed within a period of four weeks.

5. In view of the fair submission made by the learned counsel appearing for the petitioner, this Court is inclined to dispose the present petition by giving necessary direction to the first respondent Police.

Accordingly, the first respondent Police is directed to conduct the investigation and complete the same within a period of four weeks from



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the date of receipt of a copy of this order by providing necessary opportunity to both parties and after completing the investigation, if any cognizable offences are made out, the first respondent Police shall file a charge sheet in the manner known to law. Incase, if cognizable offences are not made out, the first respondent Police shall close the case as “mistake of fact”. The petitioner is at liberty to produce all documents, in order to prove that there is no criminality in the complaint preferred by the second respondent.

5. In the result, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

21.03.2024

Index : Yes/No
NCC : Yes/No

RR
To

- 1.The Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

RR

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