



CrI.O.P(MD).No.19047 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.11.2024

CORAM:

THE HONOURABLE **MR.JUSTICE M.NIRMAL KUMAR**

CrI.O.P(MD).No.19047 of 2024

and

CrI.M.P(MD) No.11775 of 2024

Murugan

...Petitioner

Vs

1. The Inspector of Police
Uthumalai Police Station
Tenkasi District
Crime No.236 of 2024

2. Sharmila
Sub Registrar
Sub Registrar Office
Uthumalai Police Station
V.K.Puthur Taluk, Tenkasi District

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying admit the quash petition on file, to call for the records in Crime No.236 of 2024 on the file of the Inspector of Police, Uthumalai Police Station, Tenkasi District for offences under Sections 132,351(2),78(2)(ii) of BNS and to quash the same.

For Petitioner : Mr.J.Senthil Kumar

For Respondents : Mr.K.Sanjai Gandhi
Government Advocate(CrI.Side)



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ORDER

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2. The petitioner is an advocate and also used to draft documents had a good relationship with the defacto complainant for some time. The defato complainant is Sub Registrar, Uthumalai Village, Tenkasi District. Thereafter there was some dispute and using her position she had lodged false complaint. Another complaint was lodged and it was enquired and closed. Suppressing the same this second complaint has been lodged and First Information Report had been registered.

3. The contention of the petitioner is that the petitioner is an advocate who predominantly drafts documents and register the same for his clients. Since he regularly visits the Sub Registrar Office he was well known to the Sub Registrar and at times he was engaged for field verification of properties. Whenever the petitioner visits the field inspection he would be paid. Suddenly and without any reason the petitioner was not entrusted any filed inspection work and petitioner had questioned the Sub Registrar, for which a false



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complaint has been lodged. The petitioner is said to have abused her and thrown the documents on her in the office is not correct. The office is wired with CCTV camera and CCTV recordings would prove that no such incident had taken place. According to the petitioner the respondent police has so far not collected any CCTV recordings with regard to the offence. He further submitted that earlier complaint was closed after the defacto complainant also produced CCTV recording which was verified and found that no such incident had taken place. Hence the First Information Report is liable to be quashed.

4. The learned Additional Public Prosecutor would submit that complaint is not confined to one day incident. The petitioner continuously harassing the defacto complainant on several days on several occasions and using force and threatening the defacto complainant to give priority to register the documents he submitted even if that documents are not proper. Hence there was some mis-understanding between them. The petitioner being lawyer by profession taking advantage of the same threatening the defacto complainant. Added to it he was also passing comments and also looking at the defacto complainant in a different manner and causing harassment and thereby she was unable to work in the place peacefully. Further sent some messages in the whatsapp which are derogative, abusing her and enticing her. He would further



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submit that investigation is in progress and First Information Report cannot be quashed.

5. Considering the fact that investigation is still in progress and already seven witnesses examined and collection of some electronic evidence in this case is done, only after completion of investigation the contention of the petitioner can be considered, at this stage the question of quashing the First Information Report does not arise. Hence this Court concludes that this is not a fit case to quash the First Information Report at this stage and the same is liable to be dismissed.

6. In the result, the Criminal Original Petition stands dismissed. Consequently connected miscellaneous petition is closed.

06.11.2024

NCC : Yes/No
Internet : Yes/No
Index : Yes/No
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To

1. The Fast Track Mahila Court, Srivilliputhur

2. The Inspector of Police
All Women Police Station
Aruppukottai

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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