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Crl.O.P.(MD)No.21656 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.03.2024**

CORAM:

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

Crl.O.P.(MD) No.21656 of 2022

U.Selva Prasad

... Petitioner

Vs.

1.State represented by
the Inspector of Police,
Tirupparankundaram Police Station,
Madurai District.
Crime No.382/2022.

2.S.Jeenarasi

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in the First Information Report dated 16.09.2022 in Crime No.382 of 2022 on the file of the first respondent Police and quash the same as devoid of merits.

For petitioners : Mr.M.Vijayarathinam

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

ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.382 of 2022 for the alleged offence punishable under Sections 294(b), 354C and 509 IPC and



Crl.O.P.(MD)No.21656 of 2022

Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, on the file of the first respondent Police, insofar as the petitioner is concerned.

2. The case of the prosecution is that the defacto complainant along with her family and her sister's family went to Alps Residency, Thirupparankundram. After she took bath in the swimming pool, she went to change her dress in the room and during that time, a person was seeing her from the divider. 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.

4. The learned Government Advocate (Criminal Side) appearing for the first respondent Police would submit that the investigation in this case will be completed within a period of 12 weeks.



Crl.O.P.(MD)No.21656 of 2022

WEB COPY

5. In view of the submission made by the learned counsel appearing for the petitioner, this Court, without going into the merits of the case, directs the first respondent Police to conclude the investigation in Crime No.382 of 2022, within a period of 12 weeks from 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. In case 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.

6. Accordingly, this Criminal Original Petition is disposed of.

22.03.2024

Index : Yes/No
Internet : Yes/No
ssb



CrI.O.P.(MD)No.21656 of 2022

To

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



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Crl.O.P.(MD)No.21656 of 2022

M.DHANDAPANI. J.

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