



Crl.O.P.(MD) No.23473 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.23473 of 2023

and

Crl.M.P.(MD) No.18253 of 2023

S.Chithirai Selvan

...Petitioner

vs

**1.The Sub Inspector of Police,
Panagudi Police Station,
Panagudi,
Tirunelveli District,
Crime No.569 of 2023**

2.Valarmathi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to call for the records relating to the FIR in Crime No.569 of 2023 on the file of the 1st respondent police and to quash the same in respect of the petitioner alone.

**For Petitioner : Mr.N.Pragalathan
For R1 : Mr.M.Veeranthiran
Government Advocate**



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ORDER

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This Criminal Original Petition is filed to quash the FIR in Crime No. 569 of 2023 on the file of the first Respondent Police.

2.The learned counsel for the petitioner submitted that the petitioner is the sole accused. The case had been registered based on the complaint given by the second respondent/defacto complainant for the offence under Sections 294(b) and 323 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. It is his further submission that the defacto complainant herself had appeared before the first respondent and had given a statement that she had preferred a false complaint against the petitioner. Therefore, he seeks to quash the FIR.

3.The learned Government Advocate would submit that the petitioner is employed as Sub Inspector of Police, Finger Print Bureau. Already there had been a case against him for the offence under Section 420 IPC and it was closed as mistake of fact.



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4.Considering the submission of the learned Government Advocate, the Investigation Officer in this case/the first respondent shall proceed with the investigation and if he finds that the statement given by the defacto complainant before the Superintendent of Police is true, he shall act accordingly. The Superintendent of Police, Tirunelveli, shall supervise the same.

Accordingly, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

Internet: Yes./No
Index: Yes/No
mm

02.01.2024

To

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

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SATHI KUMAR SUKUMARA KURUP, J.

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