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Crl.O.P.No.8142 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16.06.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.8142 of 2025
and
Crl.M.P.Nos.5298 and 5299 of 2025

1. Ravi, S/o Manavalan
2. Kayalvizhi (Virudhambal)

.. Petitioners

Vs.

1. The State of Tamil Nadu,
Represented by Sub-Inspector of Police,
Cuddalore New Town,
Cuddalore - 607 001.

2. Ramya.K,
D/o Krishnaraj

.. Respondents

Criminal Original Petition filed under Section 528 of the BNSS, 2023
praying to call for the records in proceedings in STC.No.44 of 2024, pending on
the file of the Chief Judicial Magistrate, Cuddalore and quash the same as
against the petitioner.

For petitioner : Mr.N.R.Rajagopalan

For respondents: Dr.C.E.Pratap, Govt. Advocate (Crl. Side) for R.1
Mr.K.Gandhikumar for R-2

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ORDER

The petitioners have filed this petition praying to call for the records in proceedings in STC.No.44 of 2024, pending on the file of the Chief Judicial Magistrate, Cuddalore and quash the same as against the petitioner.

2. Learned counsel for the petitioners submitted that a false case has been foisted against the petitioners as a counter-blast to the earlier complaint given by the petitioner as against the second respondent. No overt act is attributed against the petitioners. There are no materials prima-facie against the petitioners.

3. Learned Government Advocate (Criminal Side) appearing for the first respondent submitted that there is a specific case against the petitioners as made out in the complaint. However, during investigation, the witnesses have clearly spoken about the overt act attributed by the petitioners. There are prima-facie materials against the petitioners. Further, the ingredients of the offences under Section 294(b), 506 (Part-i) of IPC read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, are made out. There are prima-facie materials for trial and hence, the case cannot be quashed at this stage on the grounds raised by the petitioners.

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4. Based on the complaint given by the second respondent/de-facto complainant, a case has been registered against the petitioners in Crime No.180 of 2023, dated 21.03.2023 on the file of the first respondent-Police. The first respondent-Police, after investigation, laid the charge-sheet before the Chief Judicial Magistrate, Cuddalore and the same was taken on file in S.T.C.No.44 of 2024.

5. Further, on a reading of the complaint and the charge-sheet, and also the statements recorded from the witnesses, it is seen that, prima-facie materials are available to prosecute the case as against the petitioners and the grounds taken by the petitioners for quashing the case, are nothing but the defences, which can only be agitated only during the course of trial before the trial Court. Therefore, this Court is not inclined to quash the case as against the petitioners. Hence, this petition is dismissed. Consequently, the miscellaneous petitions are closed.

16.06.2025

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To

1. The Sub-Inspector of Police,
Cuddalore New Town,
Cuddalore - 607 001.
2. The Public Prosecutor, High Court, Madras.

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P.VELMURUGAN, J

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