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Crl. O.P. No. 20799 of 2023

and

Crl.M.P.No. 14228 of 2023

G.K.ILANTHIRAIYAN, J.

Today the matter is listed under the caption 'for being mentioned' at the instance of the learned counsel for the petitioner.

2. On 06.03.2025, the learned Government Advocate on instructions submitted that investigation has already been completed and filed a final report. Therefore, this Court recorded the said submission and dismissed the petition as infructuous.

3. Now, the learned counsel for the petitioner would submit that investigation is not yet completed and it is pending on the file of the first respondent.

4. Considering the submission of the learned counsel for the petitioner, this petition is taken up for hearing.



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5. This Criminal Original Petition has been filed to quash the FIR

registered in Crime No.121 of 2023 on the file of the first respondent.

6. On the complaint lodged by the second respondent, the first respondent registered the FIR in Crime No.121 of 2023 for the offences punishable under Sections 448 and 501(i) of IPC, alleging that the petitioner knocked the door of the second respondent, when the second respondent opened the door, the petitioner asked about her husband. Later, the second respondent came to understand that on 29.03.2023 the petitioner's brother died due to an accident and the postmortem was conducted by Dr.Kamalakannan. In the postmortem report, the deceased was under the influence of alcohol. Therefore, the petitioner knocked the door of the second respondent not to mention about the influence of alcohol in the postmortem certificate. The said Dr.Kamalakannan is none other than the husband of the second respondent.

7. Even according to the second respondent's complaint, the petitioner only knocked the door of the second respondent house. There is absolutely no allegation to attract the offence under Section 448 of IPC



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since the petitioner was standing outside her house and knocked the door of the second respondent. Further, there is absolutely no averment to attract the offence under Section 506(i) of IPC.

8. In view of the above, the FIR cannot be sustained for further enquiry and it is liable to be quashed.

9. Accordingly the FIR in Crime No.121 of 2023 on the file of the first respondent, is hereby quashed and this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

10. Registry is directed to issue a fresh order copy.

09.04.2025

AT



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G.K.ILANTHIRAIYAN, J.

AT

Crl. O.P. No. 20799 of 2023 and
Crl.M.P.No. 14228 of 2023

09.04.2025



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2025

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.20799 of 2023
and
CRL.MP.No.14228 of 2023

R.Deepika

... Petitioner

- Vs. -

1. State Represented by
The Inspector of Police,
Vettavalam Police Station,
Tiruvannamalai District.
(Crime No.121 of 2023)
2. Dr.Sahana

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to FIR in Crime No.121 of 2023 on the file of the Inspector of Police, Vettavalam Police Station, Tiruvannamalai District dated 13.04.2023 and quash the same.

For Petitioner : Mr.C.R.Malarvannan
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side) for R1



ORDER

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This petition has been filed to quash the FIR registered in Crime No.121 of 2023 on the file of the Inspector of Police, Vettavalam Police Station, Tiruvannamalai District.

2. On instructions, the learned Government Advocate (Crl. Side) appearing for the first respondent submitted that the final report has already been filed on 18.07.2024 before the learned Judicial Magistrate No.II, Tiruvannamalai.

3. Recording the submission made by the learned Government Advocate (Crl.Side) appearing for the first respondent, this Criminal Original Petition is dismissed as infructuous. Consequently, connected MP is also closed.

06.03.2025

Index : Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

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1. The Inspector of Police,
Vettavalam Police Station,
Tiruvannamalai District.
2. The Public Prosecutor,
High Court of Madras,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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CrI.O.P.No.20799 of 2023

06.03.2025