



Crl.O.P.(MD) No. 1076 of 2025

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 06.02.2025

CORAM

**THE HONOURABLE MR.JUSTICE P.DHANABAL**

**Crl.O.P(MD)No.1076 of 2025**

**and Crl.M.P(MD) No.724 of 2025**

Maria Theresa Epsy

... Petitioner

Vs

1. The State of Tamilnadu,  
Represented by the Inspector of Police,  
Salaigramam Police Station,  
Salaigramam,  
Ilaiyangudi Taluk,  
Sivagangai District.  
Crime No.36 of 2024

2. Valli,

...Respondents

**PRAYER:** Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), to call for the records pertaining to the case registered in First Information report in Crime No. 36/2024 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.B.Prahalad Ravi

For Respondent :

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl. Side)

For R2 : Mr.K.Vasanth Kumar for R2



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Crl.O.P.(MD) No. 1076 of 2025

## **ORDER**

This criminal original petition has been filed by the petitioner to quash the F.I.R registered in Crime No.36 of 2024 on the file of the first respondent.

2. According to the petitioner, based on the false complaint given by the defacto complaint / second respondent herein, the first respondent has registered a false case in Crime No.36 of 2024 for the offences under Section 143, 147, 148, 294(b), 323, 324 and 506(ii) of IPC read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. In fact, there are no specific overt act attributed as against the petitioner and even as per F.I.R, there are no ingredients to constitute the offences and the petitioner was not present at the particular place on the date of occurrence. Therefore, the present F.I.R is nothing but an abuse of process of law.

3. The learned Additional Public Prosecutor (Criminal Side) appearing for the first respondent would submit that based on the



Crl.O.P.(MD) No. 1076 of 2025

complaint given by the second respondent, they registered F.I.R in Crime No. 36 of 2024 for the offences under Sections 143, 147, 148, 294(b), 323, 324 and 506(ii) of IPC read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 and thereafter, they conducted an elaborate investigation and also filed charge sheet before the concerned Court through Online. Therefore, nothing survives for further adjudication, and if at all the petitioner is aggrieved, he can challenge the final report.

4. Mr.K.Vasanth Kumar, the learned counsel appearing for the defacto complainant /second respondent herein has also reiterated the arguments of the learned Additional Public Prosecutor.

5. In this case, the investigation has already been completed and the final report has also been filed. Even as per FIR, there are some allegations to constitute the offences, however the final report has been filed after an elaborate investigation. Hence, it is for the petitioner to challenge the said final report in the manner known to law.



Crl.O.P.(MD) No. 1076 of 2025

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6. With the above said observations, this Criminal Original Petition is disposed of. No costs. Consequently, connected Criminal Miscellaneous Petition is closed.

**06.02.2025**

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

1. The Inspector of Police,  
Salaigramam Police Station,  
Salaigramam,  
Ilaiyangudi Taluk,  
Sivagangai District.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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Crl.O.P.(MD) No. 1076 of 2025

**P.DHANABAL, J.**

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**Crl.O.P(MD)No.1076 of 2025**

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