

Crl.O.P.(MD) No.1254 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.09.2025

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD) No.1254 of 2024

and

Crl.M.P.(MD) Nos.877 & 878 of 2024

1.Selvamani

2.Lila

... Petitioners

Vs.

1.State through
The Inspector of Police,
Sikkal Police Station,
Ramanathapuram District.
(In Crime No.56 of 2023)

2.Samiadiyal

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, 1973/Section 528 of Bharathiya Nagarik Suraksha Sanhita, 2023 to call for the records pertaining to the impugned charge sheet in C.C.No.82 of 2023 on the file of the District Munsif cum Judicial Magistrate Court, Kadaladi, Ramanathapuram District and to quash the same as illegal.

For Petitioners : Mr.A.Arputharaj



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For R1

: Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the final report in C.C.No.82 of 2023 on the file of the learned District Munsif-cum-Judicial Magistrate, Kadaladi, Ramanathapuram District, filed by the first respondent police for offences punishable under Sections 341, 294(b), 323 and 506(i) of the Indian Penal Code, 1860.

2. The allegation in the final report against the petitioners is that on 24.03.2023, at about 04:00 p.m., when the second respondent/defacto complainant, aged about 65 years, was passing through a lane in the village, the petitioners, owing to previous dispute, restrained her, abused her in filthy language and slapped her and thus committed the alleged offences.

3. The learned counsel for the petitioners would submit that the allegations made against the petitioners are false and motivated and that the offences as alleged are not made out.

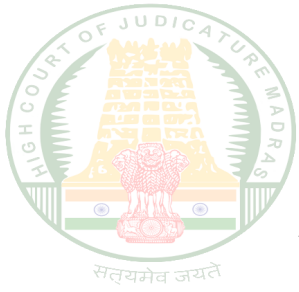


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WEB COPY 4. The learned Additional Public Prosecutor for the first respondent, per contra, would submit that the impugned final report suggests that the victim, a lady aged about 65 years, was abused in filthy language and slapped by the petitioners and that the first respondent police had recorded the statements of six witnesses and filed the final report.

5. On a reading of the final report, this Court finds that the allegations *prima facie* constitute the offences alleged against the petitioners. The only ground raised by the petitioners is that the allegations are false, which cannot be adjudicated in this quash petition, as the same can be tested only during trial. It is open to the petitioners to raise all their defences before the trial Court. Hence, this quash petition deserves to be dismissed.

6. However, since the second petitioner is aged about 64 years, her personal appearance before the trial Court is dispensed with on all hearing dates, except when her presence is required for the progress of the trial.



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7. With the above observations, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed.

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JEN

Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order/Non-Speaking Order

Copy To:

- 1.The District Munsif cum Judicial Magistrate,
Kadaladi, Ramanathapuram District.
- 2.The Inspector of Police,
Sikkal Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

JEN

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