



CRL OP(MD). No.9116 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 08/01/2026

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THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

CRL OP(MD). No.9116 of 2024

and

CRL MP(MD).No.6248 and 6249 of 2024

Britto

... Petitioner

Vs

1. The Inspector of Police,
Karungal Police Station
Karungal Post,
Kanyakumari District.
In Crime No.188/2016.

2. Jaya Chitra

... Respondents

PRAYER :-

To call for the records relating to the case in CC No.975/2022 on the file of Judicial Magistrate Court at Eraniel and to Quash the same.

For Petitioner : M/s.Prathap.V.H.S,
Advocate.

For Respondent : Mr.M.Sakthi Kumar for R1
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition is filed to call for the records relating to the case in CC No.975/2022 on the file of Judicial Magistrate Court at Eraniel and to Quash the same.

2. Learned counsel for the petitioner submitted that for the offences under Sections 294(b) and 353 of IPC read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, a first information report in Crime No. 188 of 2016, came to be registered as against the petitioner, on 14.04.2016 at the instance of the de facto complainant who is none other than the staff of the petitioner. The petitioner is serving as a Secretary of Fisherman Cooperative Society. The case of the prosecution is that on 09.01.2016 at about 11:00 AM, when the petitioner who was the President of the Society questioned about the intake of other society forms meant for distribution to the members, he had used filthy language and tried to beat the de facto complainant and restrained her from doing public duty and harassed her. In this regard, a case has been registered. Thereafter, the same was



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culminated in laying a final report before the Learner Judicial Magistrate Court at Eraniel and the same was taken cognizance in C.C.No.975 of 2022.

3. The learned counsel for the petitioner categorically contended that the offences under Sections 294 (b) and 353 of IPC would not be made out as against the petitioner as he neither assaulted nor used any criminal force as against the de facto complainant and hence sought for quashment of the Final Report.

4. Per contra, learned Government Advocate(Crl.side) categorically contended that the criminal original petition itself is not maintainable for the reason that the offenses are clearly made out by reading of the charge sheet itself.

5. Heard either sides and carefully perused the materials available on record.

6. On careful reading of the final report itself would reveal that the



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petitioner has used qualifying words which would attract the offence under Section 294-B of IPC. As far as the offences under Section 353 of IPC is concerned, though the petitioner claims that neither he assaulted nor any criminal force was used by the petitioner as against the de facto complainant. However, the charge sheet reveal that he had intentionally deterred the de facto complainant from executing her duty as a public servant and obviously that will attract Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. Since, a prima facie case is clearly made out, this Court is not inclined to quash the charge sheet.

7. For the above reasons, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

08.01.2026

NCC : yes / no
Index : yes / no
Internet :yes / no

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To

- 1.The Judicial Magistrate Court at Eraniel.
- 2.The Inspector of Police, Karungal Police Station
Karungal Post, Kanyakumari District. In Crime No.188/2016.



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L.VICTORIA GOWRI, J

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ORDER
IN
CRL OP(MD) No.9116 of 2024
and
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Date : 08/01/2026