



WEB COPY

CRL OP No. 19679 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

**CRL OP No. 19679 of 2023
and Crl.M.P.No.13287 of 2023**

Vidhyamaala Balamurugan
W/o.Balamurugan, No.81, 1st Floor, 17th Street,
Sri Krishna Nagar, Maduravoyal, Tiruvallur.

..Petitioner(s)

Vs

1. State Rep By
Inspector Of Police, F5, Choolaimedu Police
Station, Choolaimedu, Chennai.
2. Malarvizhi
W/o. Kamalnath, No.56/49, Kannaki Street,
Choolaimedu, Chennai.

..Respondent(s)

Prayer: This petition is filed under Section 482 of Cr.P.C to Call for the records pertaining to Crime No.452/2022 on the file of the 1st respondent and Quash the Same

For Petitioner(s):

Mr.B.G. Shanmugavel for M/s M.Rakhi
M.Arulraj
T.A. Preetha
Affidavit Of Service Filed

For Respondent(s):

Mr.A. Gopinath, Government Advocate



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ORDER

This petition has been filed to quash the F.I.R registered in Cr.No.452/2022 on the file of the 1st respondent for the offence punishable under Sections 498 and 506(2) of I.P.C.

2. The case of the prosecution is that the petitioner had quarrelled with her husband and left her matrimonial house and is staying along with her father, brother and her sister-in-law/second respondent herein. It is stated that the petitioner abused the second respondent, due to which the second respondent had consumed sleeping pills on 30.10.2022. Thereafter, she got admitted in the hospital and had taken treatment. Hence, the second respondent lodged a complaint against the petitioner and the first respondent registered F.I.R in Cr.No.452 of 2022. To quash the same the present petition has been filed.

3. The learned counsel for the petitioner submits that the father of the petitioner had settled 1/3 share of her property in favour of the petitioner due to which there was a dispute between them, which led to filing of the false complaint against the petitioner. He also submits that the first respondent without conducting any enquiry registered the F.I.R in Cr.No. .452/2022 under Sections 498 and 506(2) of I.P.C. Therefore, he sought for quashing the F.I.R.



4. The learned Government Advocate appearing for the first respondent submits that after receipt of the complaint they have duly enquired about the issue and registered the F.I.R. Therefore, he opposed the quash petition and prayed for dismissal of the same.

5. Despite notice served to the second respondent, no one appeared before this Court either in person or through the counsel.

6. Heard the learned Counsel appearing on either side and perused the materials placed on record.

7. On a perusal of records and also the submission made by the learned counsel for the petitioner and the learned Government Advocate it is revealed that the petitioner has filed a suit for her share in the property owned by her father. Accordingly her father settled 1/3 share of her property in favour of the petitioner. Initially the second respondent was not aware of the said transfer of the property to the petitioner and when she came to know about it, there was a quarrel between them. Therefore, the second respondent and her husband quarrelled with the petitioner and assaulted her, due to which the father of the petitioner lodged a complaint as against the second respondent in the Choolaimedu Police station. In order to wreak vengeance, the second respondent had given a false complaint against the petitioner.



8. Even according to the second respondent it is alleged that she quarrelled with the petitioner and abused her. However, there is no ingredients to attract the offence under Sections 498 and 506(II) of I.P.C. Further the petitioner was living separately and she never lived with the second respondent. However, the second respondent and her husband are also living separately. Hence, the F.I.R filed against the petitioner in Cr.No.452 of 2022 on the file of the first respondent is nothing but a clear abuse of process of law.

9. Accordingly, the F.I.R registered in Cr.No. .452 of 2022 on the file of the first respondent is hereby quashed and this Criminal Original Petition stands allowed. Consequently, the connected miscellaneous petition is closed.

20-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SMN

To.

1. The Inspector Of Police, F5, Choolaimedu Police Station, Choolaimedu, Chennai.
2. The Public Prosecutor, High Court, Madras



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G.K.ILANTHIRAIYAN, J.

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