

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.23711 of 2015

S.Shanmugapriya

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Inspector of Police,
E-5, Pattinampakkam Police Station,
Chennai - 600 028.

2. S.Jaya

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call the records pertaining to impugned FIR in Crime No.591/2014, pending on the file of the 1st respondent Police and quash the same in so far petitioner is concerned as illegal, arbitrary and abuse of process.

For Petitioner : Mr.R.Veeramani

For Respondent : Mr.C. Emalias [R1]
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the F.I.R., in Crime No.591 of 2014, pending on the file of the 1st respondent Police.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the first respondent.

3. It is seen that one Srinivasan committed suicide on 25.05.2014 and on the complaint lodged by his mother Jaya, the respondent Police have registered a case in Crime No.591 of 2014, for offence under Section 174 altered to 306 I.P.C., In the F.I.R., it is alleged by the defacto-complainant that, her daughter-in-law Shanmugapriya (wife of her son Srinivasan) and

one Sathiyamurthy were close friends, which was objected to by Srinivasan and that on 24.05.2014, the said Sathiyamurthy had assaulted Srinivasan. Unable to withstand the insult, Srinivasan committed suicide.

4. Shanmugapriya has approached this Court to quash the F.I.R., on the ground that her mother-in-law, who is the defacto-complainant and she, have amicably settled their disputes. In the considered opinion of this Court, an F.I.R., cannot be quashed piecemeal. May be, the Police may not even array her as an accused in the final report. Hence, the present quash is very pre-mature. Therefore, this petition is closed with liberty to the petitioner to approach this Court, as and when the final report is filed arraying her as an accused.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ds

To

1. The Inspector of Police,
E-5, Pattinampakkam Police Station,
Chennai - 600 028.
2. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.R.Veeramani, Advocate, S.R.No.54898

सत्यमेव जयते

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RSI (CO)
CA(16/10/2015)

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