

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Cr1.O.P.No.29364 of 2015

And

M.P.No.1 of 2015

Mohanagandhi ... Petitioner

Vs.

1.State by Inspector of Police,
All Women Police Station,
Neyveli Town, Cuddalore District
(Crime No.09 of 2015)

2.Vasanthi ... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records in Crime No.9 of 2015, on the file of the Inspector of Police, All Women Police Station, Neyveli, Cuddalore District and quash the proceedings in so far it relates to the petitioner herein.

For Petitioner : Mr.P.Ponpandian

For Respondents: Mr.C.Emalias for R1

Additional Public Prosecutor

सत्यमेव जयते
ORDER

This petition is filed praying to call for the records in Crime No.9 of 2015, on the file of the Inspector of Police, All Women Police Station, Neyveli, Cuddalore District and quash the proceedings in so far it relates to the petitioner herein.

2.The petitioner is the first accused in Crime No.9 of 2015. A complaint was lodged by the defacto complainant who is the second wife of the petitioner herein as against the petitioner and his first wife.

3.Today, when the matter is taken up for consideration, the learned counsel appearing for the petitioner submitted that the

defacto complainant has made false allegations in the FIR and hence, he sought for quashing of the FIR.

4.Heard the learned Additional Public Prosecutor.

5.In my considered opinion, when investigation is under progress, the petitioner approaching this Court for quashing of FIR. Hence, the scope for quashing the FIR is very narrow. Therefore, I am of the opinion that the present petition is premature in nature. Hence, at this juncture, this petition cannot be entertained and this Criminal Original Petition is dismissed. However, the petitioner is at liberty to approach this Court after filing of the final report. Consequently, the connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.Inspector of Police,
All Women Police Station,
Neyveli Town, Cuddalore District
(Crime No.09 of 2015)

2.The Public Prosecutor
High Court, Madras.

+1 cc to Mr.P.Ponpandian Advocate sr.66517

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