

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.25577 of 2016
and
Crl.M.P.No.12451 of 2016

1.Govindan
2.Jayanthi
3.Suresh
4.Nivedhita

... Petitioners

Vs

1. State rep. by
The Inspector of Police
All Women Police Station
Ponneri
Thiruvallur District.

2. Devika

.... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the Crime No.1 of 2016 on the file of All Women Police Station, Ponneri, Thiruvallur District, which is pending investigation for an offence under Sec.498(A), 447, 294 (b) & 506(i) IPC and quash the same.

For Petitioners : Mr.R. Sasikumar

For R1 : Mr.C.Emalias,
Additional Public Prosecutor

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ORDER

This Criminal Original Petition has been filed seeking to call for the records relating to the Crime No.1 of 2016 on the file of All Women Police Station, Ponneri, Thiruvallur District and quash the same.

2. On the complaint lodged by the second respondent Devika, the first respondent filed a case in Crime No.1 of 2016

under Sections 498(A), 447, 294 (b) & 506(i) IPC, against Easudoss, Sudamani, Govindan, Jayanthi, Suresh and Nivethitha. Challenging the same, Govindan, Jayanthi, Suresh and Nivethitha are before this Court.

3. Heard Mr. R. Sasikumar, learned Senior Counsel appearing for the petitioners and Mr. C. Emalias, learned Additional Public Prosecutor appearing for the first respondent police.

4. On reading of the FIR, it is seen that Devika got married to Easudoss and have got two children. It appears that there was a matrimonial dispute between Devika and Easudoss, on account of which they are estranged. There are no serious allegations as against the petitioners herein.

5. In *Arnesh Kumar vs. State of Bihar and another*, [(2014) 8 SCC 273], the Supreme Court has noted the tendency of disgruntled wives to implicate all members of the husband's family by making reckless allegations against them. Even in this case, the Inspector of Police has referred this matter to the Social Welfare Officer, as the children want both their parents to live together happily.

6. Under such circumstances, this petition is closed, with a direction to the respondent police to conduct a thorough investigation and try to bring an amicable settlement between them, through the Social Welfare Officer, Thiruvallur. If the allegation against the petitioners are found to be baseless, it is needless to state that the prosecution against them has to be closed.

With the above observations, this Criminal Original Petition stands closed. Connected CrI.M.P. is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS VI)

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Sub Assistant Registrar

avr

To

1.The Inspector of Police
All Women Police Station
Ponneri, Thiruvallur District.

2.The Public Prosecutor
High Court of Madras
Chennai - 600 104.

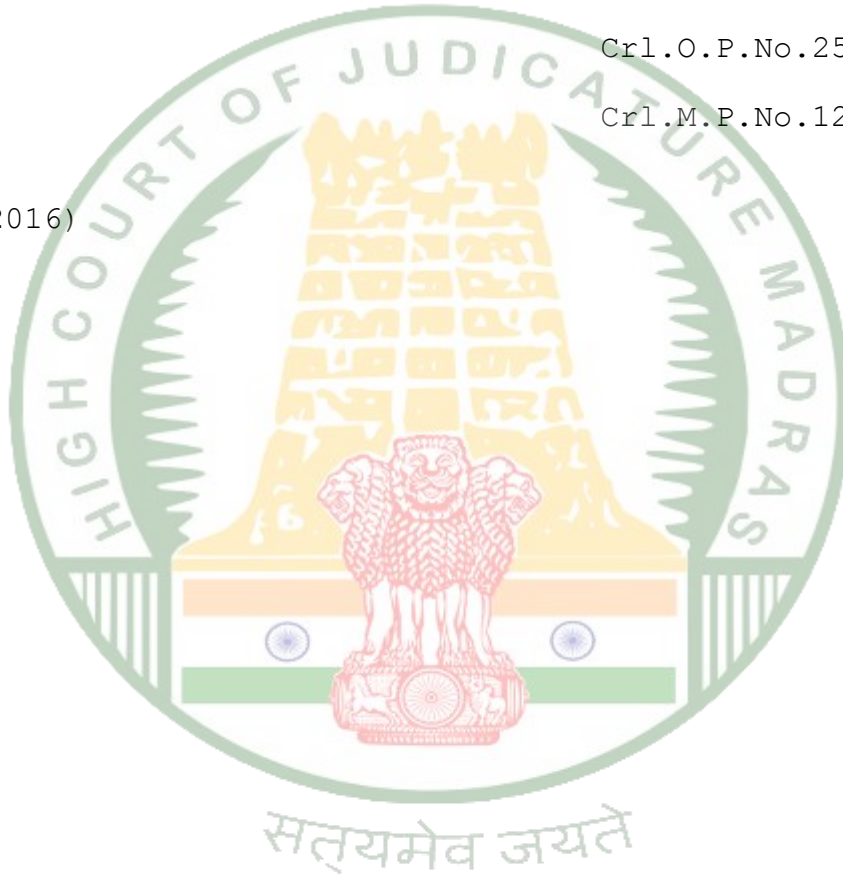
Copy To

The Social Welfare Officer,
Tiruvallur.

+lcc to Mr.R.Sasikumar, Advocate, S.R.No.69256

CrI.O.P.No.25577 of 2016
and
CrI.M.P.No.12451 of 2016

VSN(CO)
CA(30/12/2016)



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