

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.01.2016

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.3 of 2016

1.Nithiyakumar
2.N.Kumutha
3.Karthikeyan

..Petitioners

Vs.

1.State rep by
The Inspector of Police,
AW-29, All Women Police Station,
Avadi, Chennai.

2.Lavanya

..Respondents

Prayer: Petition filed under Section 482 of the Criminal Procedure Code praying to call for all records pertaining the F.I.R. in Crime No.18/2015 pending on the file of the respondent police and quash the same.

For Petitioners : Mr.M.R.Sheik Abdul Rahim

For Respondents : Mr.C.Emalias, APP for R1
Mr.M.J.Nissar Ahmed for R2

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ORDER

This Criminal Original Petition has been filed to call for the all records pertaining to the First Information Report in Crime No.18 of 2015 pending on the file of the respondent police and quash the same.

2.The case in Crime No.18 of 2015 has been registered against the petitioners based on the complaint given by one Lavanya, the second respondent herein for the alleged offence punishable under Sections 498(A) IPC r/w 4 of Dowry Prohibition Act, 1961. To quash the same, the present criminal original petition has been filed.

3.However, I am of the considered opinion that the scope of Section 482 Cr.P.C. to quash the first information report is very limited, since the investigation is not yet completed.

Hence, I am of the opinion that the present original petition is a pre-mature one. However, the petitioners are at liberty to approach this Court, after filing final report by the respondent police.

4. In fine, the criminal original petition is dismissed. However, the petitioners are at liberty to work out their remedy, after filing of the final report. The first respondent is directed to complete the investigation and file a final report as expeditiously as possible. Consequently, connected Miscellaneous Petition is also closed.

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-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
AW-29, All Women Police Station,
Avadi, Chennai.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.J.Nissar Ahmed, Advocate SR 2083

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