



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2017

CORAM :

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

WEB COPY

Cr1.O.P(MD) .No.4088 of 2015
and
Cr1.M.P.(MD) No.5902 of 2017

1.Lakshmiammal

2.S.Jeya

3.Sangeetha

4.Maheshwari ... Petitioners / Accused 3,4,5 & 6

Vs.

1. State Represented by
The Inspector of Police,
All Women Police Station,
Tenkasi,
Tirunelveli District. ... Respondent/Complainant

2.Srilanka Meenakshi ... Respondent/De-facto Complainant

PRAYER: Criminal original petition filed under Section 482 of Criminal Procedure Code to call for the records in connection with Cr.No.4 of 2015 on the file of the Inspector of Police, All Women Police Station, Tenkasi, Tirunelveli District.

For Petitioner : Mr.S.Palani Velayutham
For R1 : Mr.K.Anbarasan,
Government Advocate (Cr1. Side)

ORDER

This criminal original petition has been filed to quash the proceedings in Cr.No.4 of 2015 on the file of the first respondent.

2. The petitioners are accused Nos.3, 4, 5 and 6 in the First Information Report registered in Cr.No.4 of 2015 on the file of the first respondent. The first petitioner has married the de-facto complainant in the year 2005. After marriage, within a short period of less than a year, it is stated that the husband of the second respondent had driven her out from the matrimonial home and she is living separately. Making serious allegations against her husband, the second respondent has given a complaint, which is



registered in Cr.No.4 of 2015 for offences punishable under Sections 498(A), 494, 406 and 506(1) IPC.

3. A reading of the First Information Report does not disclose any serious allegations against any one of the petitioner. The first petitioner is the mother of the second respondent's husband and the petitioners 2 to 4, are the daughters of the first petitioner.

4. The only allegation made against the petitioners in the whole complaint is that the petitioners are the dependents of the first accused and that they are not disciplining the first accused. It appears that only out of frustration, the second respondent has also implicated the petitioners in the criminal case.

5. In view of the stay granted by this Court, it is learnt that no further enquiry was conducted. However, when there is no allegations against these petitioners and the second respondent has made them only as a formal parties in the criminal case only out of frustration, by noting the helplessness of the petitioners, this Court is inclined to quash the First Information Report in Cr.No.4 of 2015 on the file of the first respondent as against the petitioners. The first respondent is directed to proceed against the other accused in the manner known to law.

6. Accordingly, this criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To:

The Inspector of Police,
All Women Police Station,
Tenkasi,
Tirunelveli District.

+1 cc to Mr.S.Palani Velayutham , Advocate in SR.No. 68576

mm/cmr

AE/KP/SAR2/21.08.2017/2P/3C

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