

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2018

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. No.14325 of 2018 & Crl.M.P. No.7244 of 2018

1 Mohan Kumar
2 Jeyakodi
3 Manimuthu
4 Parthiban
5 Aarthi ... Petitioners

vs.

1 State by
the Inspector of Police
All Women Police Station
Rasipuram
Namakkal District
(Cr. No.1 of 2018)

2 Ranjitha Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking to call for the records in a case registered under Sections 498-A, 323 and 506(i) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Cr. No. 1 of 2018 pending on the file of the first respondent and quash the same.

For petitioners:Mr. K. Thiruvengadam

For R1 :Mr. C. Iyappa Raj
:Additional Public Prosecutor

For R2 :Mr. K.S. Karthik Raja

ORDER

This Criminal Original Petition has been preferred seeking to call for the records in Cr. No. 1 of 2018 pending on the file of the first respondent and quash the same.

2 For the sake of convenience, the parties are referred to by their name.

3 Ranjitha got married to Mohan Kumar on 27.11.2014 and on account of matrimonial discord, they got estranged. Alleging that she was subjected to cruelty, Ranjitha lodged a complaint with the first respondent police and thereafter, filed CrI.O.P. No.23377 of 2018 for a direction to the first respondent police to register an FIR on her complaint.

4 On the directions of this Court, the first respondent police has registered a case in Cr. No.1 of 2018 on 09.01.2018 under Sections 498-A 323 and 506(I) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, 2002, against Mohan Kumar (A1), Jeyakodi (A2), Manimuthu (A3), Parthiban (A4) and Aarthi (A5), for quashing which, all the accused are before this Court.

5 On notice, Mrs. P. Anandhalakshmi, Sub-Inspector of Police and Ranjitha are present. Ranjitha has entered appearance through Mr. Karthik Raja, advocate.

6 Mr. Thiruvankadam, learned counsel for the accused contended that Ranjitha and Mohan Kumar (A1) were running a nuclear family in Lalgudi and they were not living in the joint household with accused 2 to 5.

7 Per contra, Mr. Karthik Raja contended that though Ranjitha was not living with her parents-in-law, yet, her parents-in-law used to come to her house very frequently and cause harassment to her.

8 Admittedly, Mohan Kumar (A1) has returned all the properties, including jewellery belonging to Ranjitha, through police, on 24.07.2018. Mr. Thiruvankadam, learned counsel for the accused fairly conceded that there are prima facie materials as against Mohan Kumar (A1) and therefore, he is not pressing this quash application as against Mohan Kumar (A1).

9 On a reading of the FIR, this Court finds that there are no materials worth the salt against Parthiban (A4) and Aarthi (A5) and therefore, the FIR in Cr. No.1 of 2018 is quashed as against Parthiban (A4) and Aarthi (A5) alone.

10 As regards Jeyakodi (A2) and Manimuthu (A3), though the allegations against them are vague, yet, this Court is of the view that a thorough investigation is essential.

11 Hence, this Court directs the Deputy Superintendent of Police in charge of Rasipuram A.W.P.S., to monitor the investigation in Cr.No.1 of 2018 and if it is found that Jeyakodi (A2) and Manimuthu (A3) are not involved in the

offence, it is needless to state that further action against them should be dropped.

In the result, this Criminal Original Petition is dismissed qua Mohan Kumar (A1), Jeyakodi (A2) and Manimuthu (A3) and is allowed qua Parthiban (A4) and Aarthi (A5). Connected CrI.M.P. is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

cad

To

- 1 The Inspector of Police,
All Women Police Station,
Rasipuram, Namakkal District.
- 2 The Public Prosecutor,
Madras High Court, Chennai 600 104.
- 3 The Deputy Superintendent of Police,
I/c of Rasipuram,
All Women Police Station,
Namakkal District.

+1cc to Mrs.K.S.Karthik Raja, Advocate Sr.52792

+1cc to Mr.K.Thiruvengadam, Advocate Sr.52542

सत्यमेव जयते

CrI.O.P. No.14325 of 2018

srg 16/08/2018

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