

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2018

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.16315 of 2018

and

Crl.MP.No.8394 of 2018

1.M.Venkatesh
2.V.Amirtham
3.V.Sridhar Babu
4.K.Rajendran
5.A.R.DhanabackiamPetitioners

Vs.

1.State Rep. by
The Inspector of Police
All Women Police Station - East
Coimbatore City
Coimbatore District.

2.S.Rajalakshmi Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records and to quash the FIR in Crime No.8 of 2018 on the file of the Inspector of Police, All Women Police Station-East, Coimbatore City, Coimbatore District and quash the same.

For Petitioners : Mr.C.D.Johnson

For R1 : Mrs.Kritika Kamal.P

Government Advocate (Crl. Side)

O R D E R

This criminal original petition has been filed to call for the records and to quash the FIR in Crime No.8 of 2018 on the file of the Inspector of Police, All Women Police Station-East, Coimbatore City, Coimbatore District and quash the same.

2. Today, Mrs.M.Uma Maheswari, Women Grade-I PC, All Women Police Station-East, Coimbatore City, is present before this Court.

3. The learned counsel for the accused sought permission of this Court to withdraw this petition insofar as the first petitioner/first accused and he has also made an endorsement to that effect.

4. In view of the above submission made by the learned counsel for the accused, this petition is dismissed as withdrawn insofar as the first petitioner/first accused.

5. On the directions of this Court vide order dated 15.02.2018 in CrI.OP.No.4478 of 2018, the first respondent police have registered a case in Crime No.8 of 2018 on 29.05.2018 for the offences under Sections 498-A, 406 and 506(i) against Venkatesh and 8 of his relatives, challenging which, the petitioners 2 to 5/accused Nos.5, 7, 8 & 9 are before this Court.

6. The learned counsel for the accused submitted that there are no allegations as against the accused Nos. 5 to 9 in the complaint and that they being the relatives of A1, have been implicated in the offences.

7. In Arnesh Kumar vs. State of Bihar and another [(2014) 8 SCC 273], the Supreme Court has noticed great tendency to implicate all the family members of the husband in matrimonial cases. As pointed out by the learned counsel for the accused, A5 & A6 were present when the de facto complainant came to her matrimonial home on 17.01.2017 to collect her clothes. Apart from that, there is no other allegation against A5 & A6. However, if any order of stay is granted, the delay caused would prejudice the case of the de facto complainant qua A1 to A4.

8. Hence, the interests of justice will be served, if a direction is issued to the Assistant Commissioner of Police, In-charge of AWPS East, Coimbatore. Accordingly, the Assistant Commissioner of Police, In-charge of AWPS East, Coimbatore is directed to monitor the investigation in Crime No.8 of 2018 and complete the same as expeditiously as possible and if it is found that there are no credible materials as against A5 to A9, it is needless to state that further proceedings against them shall be dropped.

With the above direction, this petition is closed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mk

To

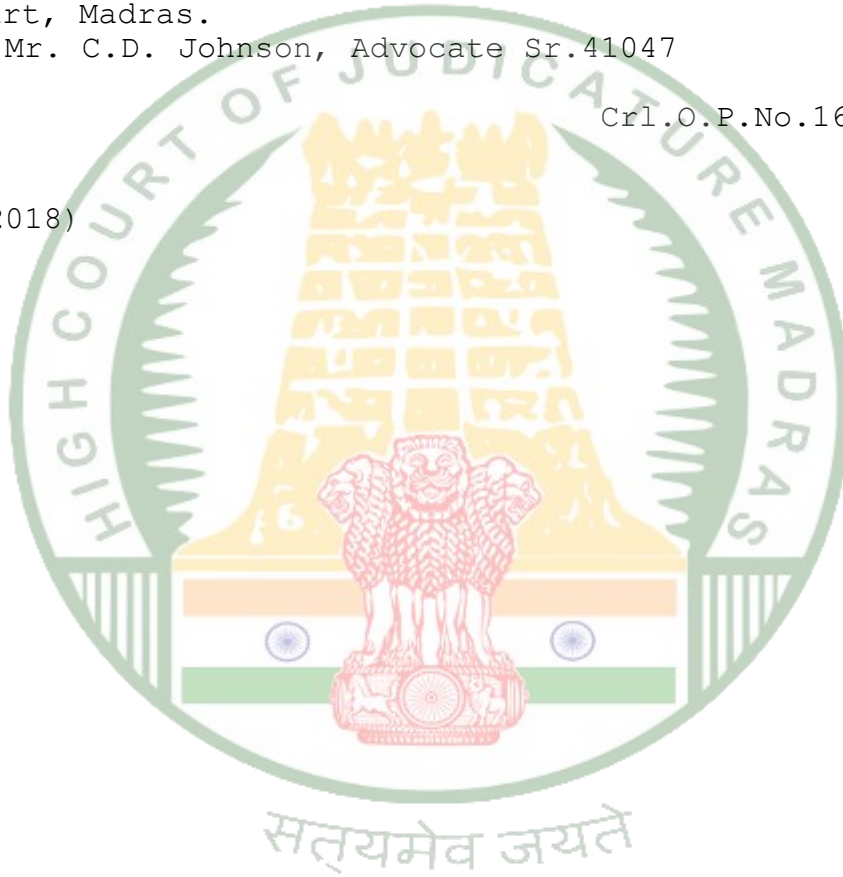
1.The Inspector of Police
All Women Police Station - East
Coimbatore City
Coimbatore District.

2.The Public Prosecutor
High Court, Madras.

+ 1 cc to Mr. C.D. Johnson, Advocate Sr.41047

Crl.O.P.No.16315 of 2018

(CCC)
EU(09/07/2018)



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