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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 23.10.2018
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD).No.12435 of 2015
and
M.P.(MD) No.1 of 2015

Alageswari .. Petitioner/Accused No.3
Vs.

1.State, Rep. by Inspector of Police,
All Women Police Station, Thoothukudi.
(Crime No.16/2015) .. Respondent/Complainant

2.Karpagavalli .. Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to FIR in Crime No.16 of 2015, dated 25.5.2015, on the file of the Inspector of Police, All Women Police Station, Thoothukudi and quash the same as against the petitioner.

For Petitioner : Mr.S.Deenadhayalan
For Respondents : Mr.A.P.G.Ohm Chairma Prabhu for R1
Government Advocate (Crl. side)

ORDER

This quash petition is filed to quash the FIR in Crime No.16 of 2015, dated 25.5.2015, on the file of the Inspector of Police, All Women Police Station, Thoothukudi as against the petitioner.

2.The learned counsel for the petitioner would submit that there is no specific allegation against the petitioner and all the allegations only against the A1 and A2. She is only the sister of the first accused. Therefore, he prayed to quash the F.I.R. as against the petitioner.

3.The learned Government Advocate (Crl. Side) would submit that the investigation is almost completed. Only because of the order of interim stay granted in this petition, the first respondent police could not file the final report. Moreover, there is specific allegation as against the petitioner. Therefore, at this stage the F.I.R. cannot be quashed.

4.Heard both sides.

5.On perusal of F.I.R., it is seen that the petitioner arrayed as third accused. She is none other than the own sister of the first accused. Further there is specific overtact as against



the petitioner herein. Therefore, it has to be investigated in depth. Moreover, the F.I.R. cannot be quashed on its threshold. Therefore, this Court is not inclined to quash the F.I.R. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is also closed.

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Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The Inspector of Police,
All Women Police Station, Thoothukudi.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P. (MD) .No.12435 of 2015
23.10.2018

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ES/SKN/RSK/SAR 2/29.11.2018/2P/3C