



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.09.2018
CORAM:
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.15647 of 2018
and
Crl.M.P(MD).No.6929 of 2018

1.Esakkiammal
2.Ramalakshmi
3.Esakkiraja
4.Thangaselvi

...Petitioners

Vs.

1.The State represented by
The Inspector of Police
Tenkasi Police Station
Tirunelveli District

...1st Respondent/Complainant

2.Pandian

...2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to call for the records in Crime No.307 of 2018 pending investigation on the file of the respondent police and quash the same.

For Petitioners : Mr.S.Selvakumar

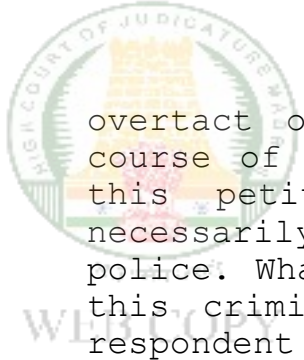
For R-1 : Ms.S.Bharathi
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to call for the records in Crime No.307 of 2018 pending investigation on the file of the respondent police and quash the same.

2.The learned counsel appearing for the petitioners would submit that there was already a family dispute, which resulted in divorce proceedings between the defacto complainant's brother and the first petitioner. This police complaint has been given against the members of the family. Therefore, the learned Counsel submits that the complaint itself is attended with malafide.

3.The learned Government Advocate (Crl.Side) appearing for the first respondent would submit that the investigation is pending. On reading of the complaint would clearly reveal the fact that these petitioners were also present in the scene of occurrence. The



overtact of these petitioners will become clear only during the course of investigation. This Court is not convinced to entertain this petition at this stage. The petitioners will have to necessarily wait for investigation to be completed by the respondent police. Whatever grounds that has been raised by the petitioners in this criminal original petition can always be stated before the respondent police.

4. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Inspector of Police
Tenkasi Police Station
Tirunelveli District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CrI.O.P. (MD) .No.15647 of 2018
and
CrI.M.P (MD) .No.6929 of 2018
03.09.2018

MSA
ES/SKN/RSK/SAR 3/26.09.2018/2P/3C