



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2018

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Cr1.O.P.(MD)No.19720 of 2013

and

M.P.(MD)No.2 of 2013

Dr.Nirmala

... Petitioner

Vs.

1.The Inspector of Police,
Kottampatti Police Station,
Madurai District.
(Crime No.352/2013)

2.Muthusamy

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the entire records from the respondent police in Crime No.352 of 2013 and quash the same with regard to the petitioner.

For Petitioner : Mr.J.Jeyakumaran

For R1 : Mr.A.Robinson
Government Advocate
(Criminal side)

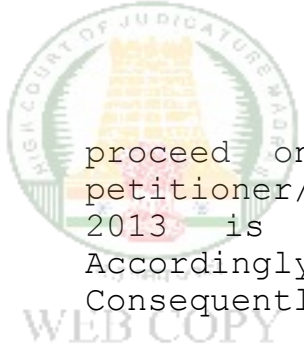
For R2 : No Appearance

ORDER

The petitioner has filed this Criminal Original Petition for quashing the impugned FIR insofar as she is concerned. The second respondent is the informant in this case.

2.The case of the second respondent is that he has paid a sum of Rs.1,00,000/- for facilitating the transfer of his daughter from Pudukottai to Madurai.

3.But, it is seen from the FIR itself that the second respondent herein remitted the amount in the bank account that belongs to the second accused. There is nothing on record to connect the petitioner herein with the offending transaction. The petitioner can be made to face trial, if she had been in receipt of the money from the second respondent. Even according to the version of the second respondent, the money was deposited in the bank account of the second accused. Therefore, the prosecution must



proceed only against the second accused and not against the petitioner/A1 herein. Hence, the impugned FIR in Crime No.352 of 2013 is quashed insofar as the petitioner is concerned. Accordingly, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

Sd/

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Kottampatti Police Station,
Madurai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.J.JEYAKUMARAN, Advocate, SR.No. 60800

Cr1.O.P. (MD) No.19720 of 2013
11.04.2018

SMN2

KK/JC/26.04.2018/SAR-2/2P-4C