

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 08.04.2019****CORAM****THE HONOURABLE MR. JUSTICE M.DHANDAPANI****CRL.O.P. (MD) Nos.5184 and 5185 of 2019****and****CRL.M.P. (MD) Nos.3264 and 3265 of 2019**

1.O.Meyyan

2.M.Navaneetha Krishnan

3.K.Vel Mani

... Petitioner/Accused Nos.2 to 4  
in both petitions

Vs.

1.The Inspector of Police,  
All Women Police Station-Melur,  
Madurai District.  
(Crime No.20 of 2018).... 1<sup>st</sup> Respondent in  
Crl.O.P.(MD)No.5184 of 2019/Complainant1.The Inspector of Police,  
Melur Police Station,  
Madurai District.  
(Crime No.1220 of 2017).... 1<sup>st</sup> Respondent in  
Crl.O.P.(MD)No.5185 of 2019/Complainant

2.Vanitha

... 2<sup>nd</sup> Respondent in both petitions /  
Defacto Complainant

**PRAYER in Crl.O.P.(MD)No.5184 of 2019:** Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the First Information Report in Crime No.20 of 2018 dated 08.10.2018 on the file of the first respondent for offences under Sections 294(b), 498(A) IPC and 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and 4 of Dowry Prohibition Act and quash the same as illegal against the petitioners alone.

**PRAYER in Crl.O.P.(MD)No.5185 of 2019:** Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the First Information Report in Crime No.1220 of 2017 dated 29.11.2017 on the file of the first respondent for offences under Sections 294(b), 323, 324, 506(2) IPC and 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and quash the same as illegal against the petitioners alone.



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For Petitioners : Mr.T.Lajapathi Roy  
(In both petitions)

For R1 : Mr.A.P.G.Ohm Chairma Prabhu,  
Government Advocate (Crl.Side).  
(In both petitions)

**COMMON ORDER**

These petitions have been filed to quash the First Information Reports in Crime Nos.20 of 2018 and 1220 of 2017 on the file of the first respondent police insofar as these petitioners are concerned.

2.The case of the petitioners is that the defacto complainant / second respondent herein is the wife of the first petitioner and the petitioners 2 and 3 are the father-in-law and mother-in-law of the second respondent. The second respondent got married to the first accused on 13.04.2014. Thereafter, they blessed with one female child. Before the marriage, request of marrying the second respondent was denied by the father of the second respondent on the ground that the first accused did not have Government job, he was only working in private school. After securing the Government job, again the first accused approached the father of the second respondent. Considering the job secured by the first accused, the said marriage was performed on 13.04.2014. Taking vengeance against the father of the second respondent, the petitioners herein and other accused person joined together and attacked the second respondent, hence, she sustained injuries and lodged the complaint, in which, the Law Enforcing Agency has registered the case in Crime No.1220 of 2017. The defacto complainant's father passed away on 12.05.2015 and the petitioners joined together and demanded retirement benefits of the second respondent's father, for which the second complaint was lodged, in which, the Law Enforcing Agency has registered the case in Crime No.20 of 2018. Challenging the same, the present petitions have been filed.

3.The learned counsel for the petitioners would submit that there were two complaints, with regard to the matrimonial dispute. However, the first accused / husband of the petitioner herein has also filed divorce petition in H.M.O.P.No.339 of 2017. Since the defacto complainant / second respondent has not appeared before the Family Court, the Family Court granted an ex-parte order in favour of him. Subsequently, in order to wreck vengeance, the present two complaints have been lodged.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the defacto complainant made specific allegation against the petitioners and it is only an information to the Law Enforcing Agency. Therefore, the Law



Enforcing Agency investigated the matter and filed final reports if allegation made out during the investigation. There is no substantial ground to quash the First Information Reports.

5. Even a bare perusal of the complaints clearly reveals that with regard to the offence committed by the petitioners and others, there is a specific averment available in the First Information Report against the petitioners.

6. Considering the facts and circumstances of the case, this Court is not inclined to interfere with the First Information Reports at this stage. Since, the FIR discloses the commission of offence, the same cannot be quashed in the light of the law laid down by the Hon'ble Supreme Court in the case of **State of Haryana Vs. Bhajan Lal [(1992) [1] SCC 335]**.

7. At this juncture, the learned counsel for the petitioners submits that a direction may be issued to the respondent police to complete the investigation and file the final report within a stipulated time.

8. Considering the limited request made by the petitioners, this Court is inclined to issue a direction to the Law Enforcing Agency. Accordingly, the Law Enforcing Agency is directed to expedite the investigation and complete the same within a period of two months from the date of receipt of a copy of this order.

9. Accordingly, this criminal original petitions are dismissed with the above direction. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS )

To

1. The Inspector of Police,  
All Women Police Station-Melur,  
Madurai District.

2. The Inspector of Police,  
Melur Police Station,  
Madurai District.



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

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+ 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No.59826

CRL.O.P. (MD) Nos.5184 and 5185 of 2019  
08.04.2019

MYR

PK/24.04.2019 : 4P/5C