



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.01.2020**

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P. (MD)No. 521 of 2020

and Crl.M.P. (MD) No. 176 of 2020

WEB COPY

1. Sadaiyandi
2. Amusavalli
3. Jeyabharathi

... Petitioners

Vs

1. The Inspector of Police
Dindigul Taluk Police Station
Dindigul District

2. Gomathi

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to the FIR in Crime No. 375 of 2019 on the file of the first respondent police and quash the same as against the petitioner.

For Petitioners	: Mr.M.Subash Babu
For Respondent	: Mr.S.Chandrasekar
No.1	Additional Public Prosecutor

ORDER

This petition has been filed to quash the FIR in Crime No. 375 of 2019 on the file of the first respondent police as against the petitioners.

2. The learned Counsel appearing for the petitioners would submit that the petitioners did not commit any offences as alleged in the impugned FIR. Without any base, the first respondent police registered a case as against the petitioners in Crime No. 375 of 2019 for the offences under Section 174(3) Cr.P.C @ 354(A), 498(A), 306, 304(B), 506(i) of IPC and Section 4 of TNPHW Act. He would further submit that the first petitioner is the father-in-law, second petitioner is the mother -in-law and the third petitioner is the sister-in-law of the deceased Manopriya. He would also submit that marriage between the first accused (son of the first and second petitioner) and the deceased was solemnized on 05.06.2017 at Krishnamani Kannan Marriage Hall, Dindigul as per Hindu rites and customs. Thereafter they were living in USA where she has committed suicide. He would also submit that earlier American police have conducted investigation and they have concluded that the said Manopriya died due to suicide. Hence he prayed to quash the same.



3.The learned Additional Public Prosecutor would submit that the marriage took place on 05.06.2017 at Dindigul and thereafter the deceased Manopriya committed suicide in USA and since the death had occurred within seven years of marriage, the respondents have registered the case for major offence under Section 306 and 304 (B) of IPC apart from other offences. He would also submit that the investigation is in the initial stage and hence, he prayed for dismissal of this petition.

4. At this juncture the learned counsel for the petitioner would submit that part of the offence has taken place at USA. Hence a direction may be issued to the respondent police to take into consideration the Section 188 of Cr.P.C in respect of offence committed outside India.

5. It is seen from the First Information Report that there are specific allegation as against the petitioners, which has to be investigated. Further the FIR is not an encyclopedia and it need not contain all facts. Further, it cannot be quashed in the threshold. This Court finds that the FIR discloses prima facie commission of cognizable offence and as such this Court cannot interfere with the investigation. The investigating machinery has to investigate, grab and unearth the crime in accordance with the procedures prescribed in the Code.

6. Considering the facts and circumstances of the case, the first respondent police is directed to take into consideration all the aspect and file final report.

7.Recording the same, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Inspector of Police
Dindigul Taluk Police Station
Dindigul District

<https://hcservices.ecourts.gov.in/hcservices/>



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

+1 CC to Mr.M.SUBASH BABU, Advocate (SR-1907[F] dated 20/01/2020)

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