



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.01.2020**

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.(MD)No. 1441 of 2020

and Crl.M.P.(MD) No. 657 of 2020

WEB COPY

Noorjahan

... Petitioner/Accused No.3

Vs

1. The State Rep.by
The Inspector of Police
All Women Police Station
Karur District

... 1st Respondent/Complainant

2. Amrin

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to the impugned FIR in Crime No. 10 of 2019 dated 03.11.2019 on the file of the first respondent police and to quash the same as illegal.

For Petitioner : Mr.K.Sivabalan
For Respondent : Mrs.S.Bharathi
No.1 Government Advocate (crl. Side)

ORDER

This petition has been filed to quash the FIR in Crime No. 10 of 2019 on the file of the first respondent police as against the petitioner.

2. The learned Counsel appearing for the petitioner would submit that the petitioner is the sister of A1 and he has been falsely arrayed as accused in this case. He would further submit that the brother of the petitioner is arrayed as A1, who has given Rs.10,00,000/- to his father-in-law. Since there was a dispute between the family members a false complaint has been given against the petitioner and her family members, as if the petitioner demanded dowry. He would also submit that without any base, the first respondent police had registered a case as against the petitioner in Crime No. 10 of 2019 for the offences under Sections 294(b), 355, 498(A) and 506(i) of IPC. He would also submit that there are materials to prove that there was no dowry demand and infact the defaco complainant and his father are advised to return the money to the family members. Hence he prayed to quash the same.

3.The learned Government Advocate (criminal side) would submit that investigation is still pending and this petition is in premature stage and hence, he prayed for dismissal of this petition.



4. Perused the materials available on record.

5. It is seen from the First Information Report that there are specific allegation as against the petitioner, 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. In view of the above, this Court is not inclined to quash the FIR in Crime No. 10 of 2019. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is also dismissed. Further the respondent police is directed to look into all the available materials and complete the investigation and file final report before the concerned Court within a period of three months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Inspector of Police
All Women Police Station
Karur District

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

+1 CC to Mr.K.SIVABALAN, Advocate (SR-4254[F] dated 31/01/2020)

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MK (12.02.2020) 2P 4C