



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.3961 of 2020

and

Crl.M.P. (MD)No.2189 of 2020

WEB COPY

1.Pandiyan

2.Vanaraj

3.Pothumponnu

... Petitioners

Vs

1.The Inspector of Police,
All Woman Police Station,
Aundipatti,
Theni District.

2.Devi @ Chinnadevi

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records in Crime No.15 of 2018 on the file of the first respondent and quash the same.

For Petitioners : Mr.P.Sivachandran

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

ORDER

This criminal original petition has been filed for quashing the impugned FIR.

2.The second respondent is the defacto complainant. The marriage between the first petitioner and the second respondent took place on 08.09.2013. It appears that the relationship between them broke down. The first petitioner had filed H.M.O.P.No.123 of 2017 before the Sub Court, Theni, seeking divorce. The second respondent has filed D.V.C No.2 of 2018 before the Judicial Magistrate, Bodinayakkanur. The petitioners



challenge the very registration of the impugned FIR at the instance of the second respondent herein.

3. When the FIR was registered way back in the year 2018, I fail to understand why the final report has not been filed till date. The contentions urged by the petitioner's counsel are absolutely insufficient for quashing the impugned FIR. These are matters that will have to be necessarily established either during investigation or during trial. While exercising my jurisdiction under Section 482 of Cr.P.C., I cannot appreciate the factual contentions urged by the petitioner's counsel. Therefore, leaving open the petitioner's contentions, this criminal original petition stands dismissed. The first respondent is directed to file final report within a period of two months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(AS)

// True Copy //

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Sub Assistant Registrar(CS)

rmi

To

1. The Inspector of Police,
All Woman Police Station,
Aundipatti,
Theni District.

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

+1 CC to M/s.P.SIVACHANDRAN, Advocate (SR-9879[F] dated
03/03/2020)

CrI.O.P(MD)No.3961 of 2020
and

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KG(CO)

TR(13.03.2020)2P 4C