



WEB COPY

Crl.O.P.(MD)No.10843 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P.(MD)No.10843 of 2020

and

Crl.M.P. (MD)No.4951 of 2020

R.Santhi

... Petitioner/A3

Vs

1. The Inspector of Police,
All Women Police Station,
Andipatti, Theni District. ... 1st Respondent /Complainant
2. V.Subadevi ... 2nd Respondent/ Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records relating to the impugned FIR in Crime No.12 of 2020 on the file of the Inspector of Police, All Women Police Station, Andipatti, Theni District, quash the same.

For Petitioners : Mr.K.Appadurai
For R1 : Ms.S.E.Veronica Vincent
Government Advocate

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the first respondent.

2.The petitioner is figuring as A3 in Crime No.12 of 2020 registered on the file of the first respondent. The defacto complainant is the second respondent who is none other than the daughter-in-law of the petitioner herein.

3.The learned counsel appearing for the petitioner reiterated all the contentions set out in the memorandum of grounds and submitted that false allegations have been made against the petitioner. According to him, the second respondent is a divorcee. Likewise, the son of the petitioner was also a divorcee. For both the petitioner's son and the second respondent, this was their second marriage.

4.As rightly contended by the learned Government Advocate appearing for the first respondent, this Court, exercising its quash jurisdiction under Section 482 of Cr.P.C., may not be in a position to go into the veracity or otherwise of the allegations made in the FIR. FIR itself was registered only on 25.07.2020. Investigation



is still pending. Therefore, the question of quashing the FIR at this stage does not arise.

5.I find the said objection to be sustainable. Leaving open the petitioner's defences, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CrI.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmi

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Inspector of Police,
All Women Police Station,
Andipatti, Theni District.

Copy to: The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P (MD) No.10843 of 2020
07.10.2020

SS (CO)
CS (21.10.2020) 2P 3C