



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.11385 of 2020

Mrs.Vijaya

... Petitioner / Accused No.1

Vs

1.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District,
(Crime No.431 of 2020)

... 1st Respondent/Complainant

2.Mr.Joseph Mani

... 2nd Respondent/Defacto Complainant

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the First Information Report in Crime No.431 of 2020 dated 30.05.2020 on the file of the respondent No.1 and quash the same as illegal as against the petitioner.

For Petitioner : Mr.T.Lajapathi Roy

For R1 & R2 : Ms.S.E.Veronica Vincent
Government Advocate (Crl.Side)

O R D E R

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

2.The petitioner is figuring as first accused in the impugned First Information Report. The petitioner wants this Court to quash the same. The Defacto Complainant is none other than the brother of the petitioner herein. The petitioner's counsel reiterated all the contentions set out in the memorandum of grounds. But then granting relief to the petitioner requires factual investigation. Exercising Section 282 of Cr.P.C, would not be possible. Therefore, leaving open the petitioner's defences, the Criminal Original Petition is dismissed.



3. When the petitioner's counsel expressed certain apprehension regarding the manner in which the case is being investigated, in order to allay the same, I direct the jurisdictional Deputy Superintendent of Police to monitor the investigation.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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: -

1. The Deputy Superintendent of Police,
Thoothukudi City, Thoothukudi.
2. The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District,
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-20400[F] dated 16/10/2020)

Crl.O.P(MD)No.11385 of 2020

14.10.2020

vrn

SDS (02.11.2020) 2P-5C